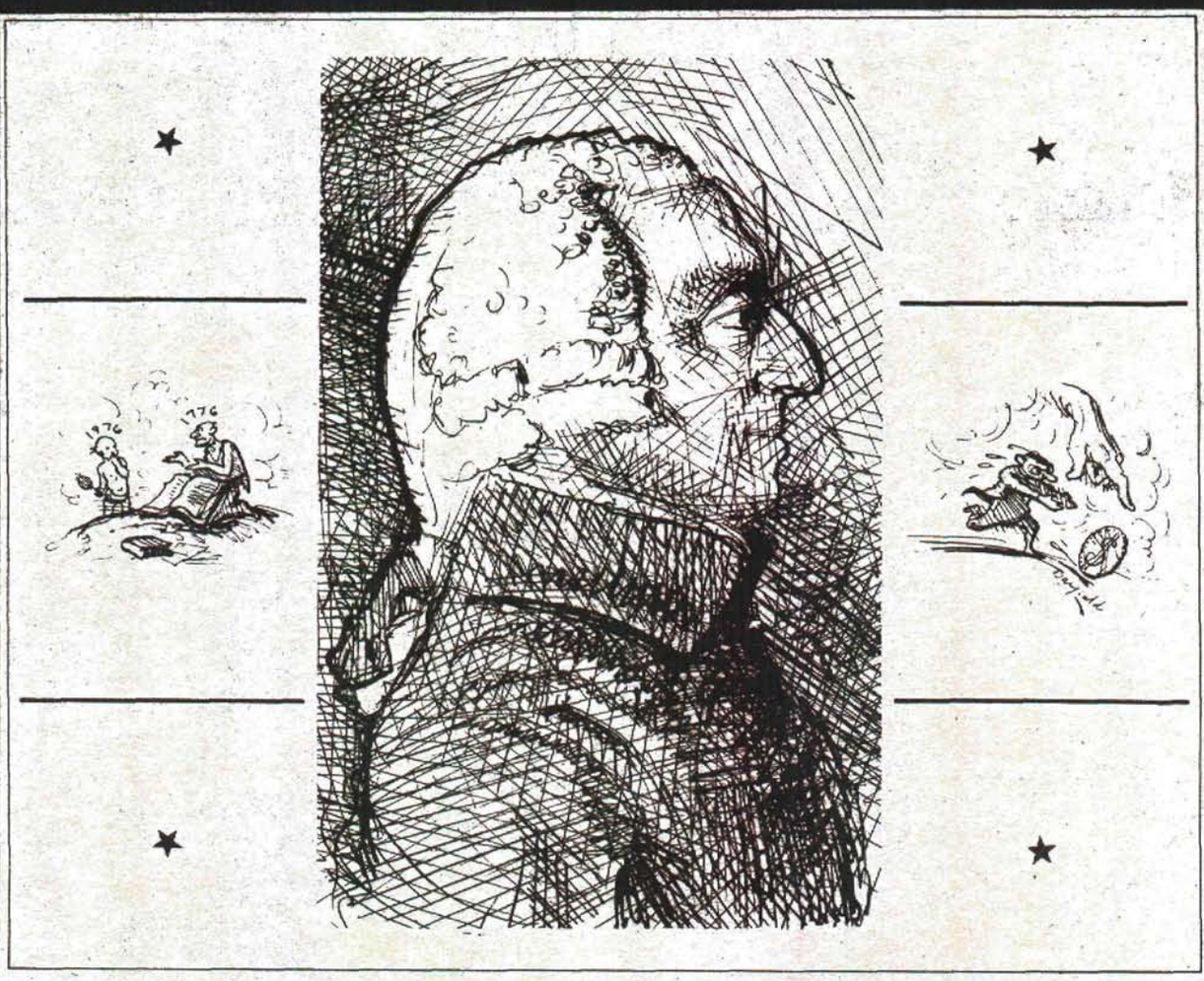
the ALTERNATIVE: AN AMERICAN SPECTATOR



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March 1976 • Volume 9, Number 6

The Continuing Crisis

■ January—and Professor Kissinger, in his journeys thither and yon, continues to elucidate the genius of his policies. A good deal of his time was spent in the congenial company of the fun-loving and widely misunderstood Russians. On January 19, he flew to their idyllic capital, and his diplomatic palavers there shed still more light on the meaning of the strategic arms limitations talks. Apparently it is our arms that are to be limited and their strategy that is to be implemented. Prefacing their diplomatic negotiations with some good-natured persiflage about Russia's good works in Angola, Mr. Kissinger and Mr. Brezhnev then sat down and discussed limiting America's cruise missile while giving Russia almost unlimited use of its new Backfire bomber, a bomber that really is not that noisy after all.

■ The remarkable Secretary of State returned home in an unusually loquacious humor—a humor that allowed him to speak evenhandedly, first on one side of the issue, then on the other. When he announced his "full support" for United Nations Ambassador Daniel Patrick Moynihan, Mr. Moynihan resigned—a propitious occurrence that; for most United Nations delegates had, to quote the renowned Dr. Radha Krishto of Mauritius, "lived in positive dread of his manners, his language, and his abuse." Perhaps now Mr. Ford will nominate an ambassador more suited for this illustrious post, for instance one of the many intelligent candidates now running for the Presidency, perhaps a man like Mr. Ernest Wayne Whitford, the Naderesque reform candidate from San Pedro, California. The visionary Mr. Whitford is advocating "a national health program to end constipation here and now." As he declared in his letter to the Federal Election Commission, "It's the number one cause of illness. We will require all manufacturers to add bran or seven percent roughage to all processed foods"—a platform of stupendous wisdom, making its author a powerful contender for votes hitherto considered the personal property of Mr. Fred Harris.

■ While on the subject of the 1976 campaign, January saw the emergence of yet another Democratic candidate and an ingenious ploy to attract media coverage. The new candidate was West Virginia's Senator Robert Byrd, now the eleventh Democratic hopeful. The media wizard was former North Carolina Governor Terry Sanford, whose campaign had attracted little attention from the press until he masterminded a media blitz by: (1) suffering "chest pains" while attending a party; (2) having a UPI photographer on hand for the occasion; (3) departing the party for a hospital and a series of unbearably dramatic tests; and (4) temporarily withdrawing from the campaign. It was a media coup that had every political journalist in the country in a helpless lather, especially the commentators at National Public Radio. They devoted vast sections of their evening news program, "All Things Considered," to the substance and significance of this startling turn of events, and left the impression that Mr. Sanford was more notable for his withdrawal than for his candidacy.

■ National Public Radio served the public interest on two other occasions during the month. In an hour-long program it informed the taxpayers, whose tax dollars support it, on the burning issue of Mr. Leonard Matlovich's homosexuality, revealing that Mr. Matlovich can maunder on for thirty minutes and make not one true statement, that Mr. Matlovich's lawyer can sputter on for thirty minutes and make not one true statement, and finally that no one with any intelligence whatsoever, pro or contra Mr. Matlovich, would willingly appear on such a show. NPR also arrayed a dozen or so anti-capitalist economists against Mr. Milton Friedman for an evenhanded discussion of the origins of American wealth. The majority seemed to incline toward the conclusion that American wealth is the result of a fortunate synergism between maniacal rapacity and the Good Fairy.

■ Detente is continuing to relieve international tensions, at least in Angola, where chances for peace improved as Communist forces widened their control across that former Portuguese colony. Peace seemed even more imminent when the House of Representatives voted 323 to 99 to end covert military assistance to anti-Soviet Angolans. In New York City Mr. Kingman Fowler filed a complaint with the Human Rights Commission when he was not allowed to appear in a Bloomingdale's department store advertisement for women's lingerie. And in Buffalo, New York, the Bicentennial notwithstanding, only thirty people showed up on January 7 to commemorate the birth of America's thirteenth President, Mr. Millard Fillmore, who was described as "a model for all of us during these modern times." Over fifty people, however, showed up in New York City to auspicate a "Draft Norman" campaign, intended to elect the editor of the *Saturday Review* to the Presidency, as if he has not bored enough Americans already.

■ Two of the more prominent figures of the twentieth century died in January—Chou En-lai, 78, and Frau Franziska Braun, 90. Chou, the controversial Chinese politician, who brought incomparable efficiency to the Chinese bureaucracy and introduced Chairman Mao to the Western box kite and to the poetry of Edgar Guest, was widely mourned throughout the free world and even suggested for canonization by a Mexican bishop. Frau Braun, who spent much of the postwar period vigorously championing Esperanto and nude sun-bathing, was Mr. Adolf Hitler's mother-in-law. In her waning years she also took on the cause of world federalism and was known by the children of her Alpine village as "Chuckles," a loving reference to the long hours she spent rocking on her front porch and laughing hysterically. Back in America another of those tedious physical fitness quacks croaked while in the prime of life. Dr. Paul A. Hunsicker, 59, the fanatic responsible for the United States Physical Fitness Program, died while shoveling his Ann Arbor, Michigan walk.

■ On January 19, President Gerald R. (Jerry) Ford delivered a modestly cheery State of the Union message, which ended with the plea for a "New Realism," leaving many seasoned political observers scratching their noodles, attempting to recall the old realism. India remains victimized by that mysterious "state of emergency" which forced Mother Gandhi to curtail civil liberties. January's elections had to be postponed and the press' vestigial freedoms have been scotched. Apparently one of Mother Gandhi's fears concerns "the threat posed by the CIA," but then who is not threatened by that nefarious mob these days?

■ And as if the case for socialism were not overwhelming, the U.S. Postal Service again proved the economies and efficiencies inherent in state monopolies by raising rates across the board some 26%. From Volgograd comes word that of the 1,560 tons of people's potatoes received this winter 1,235 were so rank they could not even be fed to cattle. They were covered with chloride lime and buried. What is more, the Food Industry Ministry decreed that the Soviet dinner roll must be lightened by 2.4 ounces to avoid waste, because, in the stirring words of the Deputy Food Minister, "Bread is our greatest treasure. We must respect it and look after it." Superb! Marxist agriculture transforms mere bread into precious treasure. How long will we resist the future?

■ The *New York Times* reported that when former President Mr. Richard Nixon testified to Senate investigators regarding his Administration's wiretaps he "wore a shirt with what one source called 'a rather large coffee stain' on its neck. He later changed his shirt and tie"—a useful piece of information for those of us who are still wary of this inscrutable man. Civil libertarian William Kunstler defended the assassinations of John and Robert Kennedy, noting that they were "two of the most dangerous men in the country." And the federal government is again hounding Mr. Alger Hiss, this time through such unlikely media as the American Civil Liberties Union and the Freedom of Information Act. Through that law, the ACLU has forced the FBI to release some 15,376 pages of files, which generally support Mr. Hiss' 1950 perjury conviction. The documents strongly suggest that, in light of Mr. Hiss' repeated protestations of innocence, Mr. Hiss today would probably have a very long nose were what criminologists call "the Pinocchio Factor" actually in effect.

■ Finally, Mr. Ronald Reagan's chances to win the 1976 Republican nomination improved slightly when it was revealed that Senator Lowell Weicker would not support him and that in 1940 President Ford began a two-year career as a male model culminating in his appearance on the cover of *Cosmopolitan*. This is a matter that not even Senator Frank Church has dared to examine. —*RET*

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The Man Who Should Be President

From the politicians and the pundits one gets the sense that America is the most ignorant, inept, belligerent, hypocritical, and niggardly nation on earth. According to the current wisdom, America has become a veritable melting pot of atrocities, and, at least for those Americans who do not subscribe to the *New York Review of Books*, these are not Glad Tidings. Such notifications sadden us, and not even the profundities enunciated by the public-spirited Betty Ford are apt to cheer us up. We felt drear in the 1960s but the abominations of the 1970s leave the 1960s looking blithesome and elegant. These are gloomy times, and it is to Senator George McGovern's enduring credit that he devoted most of 1972 to crisscrossing the country, attempting to restore the horse laugh to its former eminence. His campaign elicited many har hars, but it ended as all good things do, and soon we were wincing through the lurid spectacle of Watergate, the economic swoon, Mr. Nixon's shabby exit, and the ultimate discrediting of what the profs had long ago christened the "discredited domino theory."

By that time, last fall, when the *New York Times* deemed it inadvisable for the President to leave the White House and felonious for him to show his face in California, America had lost much of its old brag and bounce. Morale had sunk to its lowest level since the Depression, and there it remains. The fact that Richard Nixon is again playing golf and tantalizing us with the prospect of further personal contributions to the commonweal only adds anxiety to our drear. Something must be done to bring back the smiling, enthusiastic Yank of yesteryear.

Unfortunately, we can expect little assistance from any quarter other than the political nowadays, for as government has intruded into every aspect of American life, politicians have pre-empted all other notables as sources of amusement, interest, inspiration, or even strength. Today, Lindbergh would be but one more forgotten astronaut, Edison would be lost from sight in the vastness of IBM, and Valentino would be just another Hollywood notable urgently exposing his pudenda in a vain attempt to grasp lasting renown from the whirl of modern events. Our most industrious killers do not even interest us for long. Lizzie Borden's butcherings were comparative misdemeanors when placed alongside the ghastly achievements of Richard Speck or of Elmer Wayne Henley. Yet Lizzie edified the national conscience for years while poor Richard was good for but a few months before being rudely elbowed off the stage by herds of politicians, all sweating to save us from reality and to arrogate a little more authority and a lot more loot. Obviously no Hollywood personage, no athlete, no adventurer, tycoon, evangelist, or nationally acclaimed murderer can compete for attention with the politicians—the cards are stacked against him. Government is where the celebrity is, and if anyone is going to attract our attention and put wings to our spirits it will almost have to be a politician, and he most probably will have to be running for the Presidency—so statist has our society become.

Alas, not one of the likely candidates for the 1976 Presidential election possesses the arcane formula to engage our attentions and to send spirits soaring. Taking the candidates, announced and unannounced, as an aggregate, it is my measured opinion that they are the most moth-eaten crowd since the days of Reconstruction. Consider Fred Harris, solemnly bribing his oddball supporters with promises of an overnight stay in the White House. Consider "Mo" Udall. Consider Milton Shapp. Consider Stanley Arnold. The Democrats promise us a politics that is sensuous and juvenile. The Republicans offer us no politics at all. One looks wistfully to the glory days of the Know-Nothings. The whole campaign would be sleep-inducing were its cast not so insipidly asinine.

It is hard to say which party is more vacant of ideas, principles, or dramatis personae. Four more years of Jerry Ford are certainly not going to raise our morale, and the vision of almost any of the Democratic hopefuls in the White House is a vision of Hell. So it seems to me that if we are to get over the mulligrubs, Americans must embrace an entirely different concept in Presidential leadership. No longer should we dream of palmy days presided over by a great man in the White House or even a prudent man. No such creatures are at hand. Instead we should work to elect a new *kind* of President, a President capable of ministering to our national drear. What Americans must work for today is the election of a genuine and conscious clown.

Agreed, in the past we have raised a clown or two to the White House, but always to our surprise and often to the surprise of the President-elect. Harding was, of course, a clown, but few Americans realized this even while he was launching those tortured sonorities from his front porch back in Marion. During his early years in office he was full of high purpose and played the Presidential role with great assiduity. But then at midterm he paused and heard chortles from the sidelines; he began to sense that even his friends were playing him the fool, and it was too much for him. He went to San Francisco and died, a clown with a broken heart. There is nothing in this tale to gladden the spirit.

How different it would be with a conscious clown. A conscious clown would feel no embarrassment as the heehaws rolled in; to the contrary, he would feel the flush of accomplishment and strive to new heights—perhaps a round of cultural exchanges between the United States and Idi Amin's Uganda, perhaps a national prohibition against the villainous cigarette, perhaps a toney uniform for the President. Never again would voters suffer an agonized period of indecision over the propriety of laughing out loud at the State of the Union message. They would not feel stunned by or indignant with Presidential high jinks. They would roar with laughter the minute the election returns were in. They would laugh unashamedly right down to their leader's last gaffe in office. The national morale would be lofty again. The old enthusiasm for today and tomorrow would return.

But, one asks, what national figure is possessed of the requisite talents for such a campaign? And once we have found a candidate with the chemistry of the buffoon, what if he becomes coy about entering the race? It seems to me that the answers suggest themselves almost before the questions have been asked. Where to find a clown with the name identification to run for high office? The United States Senate abounds with such characters, and connoisseurs of the ridiculous who are not fetched by the floppy-shoed clarabelles of the Senate can turn to the House of Representatives for an even richer deposit of absurdity. Once one considers those juggling bowling pins in the Senate and those disporting with animal bladders in the House, the second question is easily dispatched. The clowns of Capitol Hill are just as ravenously ambitious as the other pols in residence there. It is just that until now no one has ever boomed arrant clownishness as a political attribute. Senator Charles Mathias raised chickens in his office and the press corps ignored him. Senator Lowell Weicker's daily melodramas go unremarked. Let one of the intellectuals of the Potomac, say Dr. Sevareid, pronounce that what America needs and wants is a deeply committed clown as President, and every fool on the Hill will be disclaiming his Presidential ambitions and otherwise making the idiotic spectacle of himself that Presidential candidacy demands.

Doubtless all will perform prodigies, but I suspect that one in particular will attract a larger, merrier constituency than the rest. His campaign and subsequent Administration will be certain to deliver us from the mulligrubs, and at the first whiff of interest he will be off and

(*continued on page 39*)

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Karl O'Lessker

Who's In Charge Here?

Thoughts on the Diffusion of Power in America

Opinion is like the sea: its movements are tidal. Unlike fashion, it is not willed, it does not obey the dictates of prudence. Opinion seizes us unbidden, and no slave was ever more loyal to a benevolent master than we to "our" opinion about something or other. But it is only when we look around, surprised, and find that a great many others—not all of whom, by any means, people we respect—happen to share that opinion, do we become aware of the tidal nature of opinion in general. And then, if we are at all reflective, we are perplexed and embarrassed—but what are we to do? To renounce one opinion and grasp its opposite is only to remove us from the company of one unseemly group and place us with another. There is nothing new under the sun and no opinion is unique to any man.

What stirs these discomforting ruminations is the discovery that a particular political view I have lately come to, all (I thought) on my own, just happens now to be shared by every pundit and political analyst rushing into print with "his" discovery. This is the view that the President of the United States is not the puissant creature we had all imagined him to be but rather, as one writer has put it, he is at best "a strategically situated and important participant among vast numbers of policy entrepreneurs and policy-bearing bureaucrats." There are still, I think, a great many political scientists and an even larger number of high school social studies teachers who would be astonished at that judgment. But their numbers are diminishing as the tide of this latest opinion sweeps over the landscape.

Two separate and intriguing questions here. First, what set the tide in motion? Second, how accurate is this revisionist view of the President?

As to the first, one can venture hardly more than a guess. Granted, the Presidency of Gerald R. Ford does nothing to make one cling to the earlier view of President-as-colossus-bestriding-this-narrow-globe. Yet it is true that the starkly revisionist comment I quoted above was written by Professor Thomas Cronin in 1970, at a time when President Nixon was behaving all too imperially. So it can hardly be the ineptness of Ford that first opened eyes to the absence of garments on the imperial person. The best guess seems to be that a few very astute observers (myself not among them) saw the reality behind the fog of textbook and journalistic exaltation of Presidential power, and only now, with a real bumbler in the White House, do the rest of us begin to share that perception.

But is it correct? That is the second and far more important question. The fact that a tide of "informed opinion" now holds the Presidency to be an institution of tightly limited power does not necessarily make it so. Indeed one can only feel apprehensive about one's own sharing of this view in the presence of such assertions as Paul Weaver's: "Congress itself has been growing steadily more powerful vis-à-vis the Presidency over the last two decades and more." There is little enough that one knows about all this from firsthand observation, but if six years as a senior staff member of the U.S. Senate entitle the present observer to a judgment, I should have to say that Weaver's pronouncement is greatly mistaken. Indeed it seems to me that Congress as a corporate actor hardly even exists, let alone wields significantly expanded power vis-à-vis the executive. As my colleague Roderick A. Bell has so well put it in a recent book, "Congress itself is a kind of optical illusion." From another perspective, I should be inclined to call it a verbal trick we play on ourselves: we say, "the Congress" just as we say, "the President." But the President is one man, an identifiable entity of flesh and blood whose actions, no matter whence the idea for them came, are directly assignable to himself. Not so "Congress," which is a label we haphazardly slap on a vast complex of actions only a few of which involve the conscious decisions of anything like a majority of the elected members of the institution.

This demonstrable fact might present fewer problems for analysis if anyone coordinated Congressional outputs. But no one, no thing, does. On the contrary, the largest part of all the actions taken in the name of "Congress" never even come to the attention of, let alone require decision-making by, most members. What Senator Warren G. Magnuson does to the Departments of Labor and HEW in his capacity as chairman of the subcommittee on Labor-HEW appropriations may not even be known to Senator Harrison A. Williams in *his* capacity as chairman of the Committee on Labor and Public Welfare (the authorizing committee for most legislation affecting the two departments). In other instances the two chairmen and the two ranking minority members of their respective committees reach agreements among themselves, agreements which may or may not have to await the pro forma ratification of the entire Congress. And what do these agreements have to do with the policy views of, say, Senator Quentin Burdick or Senator Paul Fannin—to say nothing of *any* mem-

When the Founding Fathers determined to guard our liberties by separating powers, they succeeded, in their creation of a bicameral legislature, far beyond their maddest hopes...

ber of the House of Representatives? When the Founding Fathers determined to guard our liberties by separating powers, they succeeded, in their creation of a bicameral legislature, far beyond what their maddest hopes could have led them to expect.

To be sure, Congress as an institution retains the power to say no to a President, and in our own day of a nonelected, not very competent or respected chief executive, Congress has been doing so with some notable frequency. But I need hardly point out that there have been other times in our national history when executive and legislature were scarcely on speaking terms. And if Congress *seems* more surly and ungovernable today than ever before, well, try convincing Harry Truman's ghost that it really is. Indeed, even President Franklin Roosevelt at the height of his popularity and influence was forced to accept stunning defeats in Congress and avoided others only by raw coercion in time of war. And what of Herbert Hoover and Woodrow Wilson during the last biennia of their tenures?

Congressional "obstructionism" is neither new nor an indication of growing power vis-à-vis the executive. More important, it is not the kind of power that governs a nation; rather, it is the power to say, "Thou shalt not govern."

I do not want to be understood as deploring this kind of negativism. I am altogether persuaded that we are overgoverned these days and I am prepared to hail nearly every instance of one branch of government's checking and balancing some other branch. Moreover, on most great issues the inability of the federal government to get its act together is a true reflection of the state of opinion among us. Can the President and Congress not agree on an energy policy? No indeed. But what sort of consensus does one see among the American people on energy policy? Not a trace. Ask any six citizens chosen at random in a coffee shop or tavern and ask them what they think the government ought to do about the energy crisis. Six different answers—some of which will deny there even *is* an energy crisis. Yes, yes, I know: government is supposed to lead, not follow, public opinion. But the inconvenient fact is that people who depend for a living on votes are reluctant to lead voters toward bitterly disapproved-of goals.

The upshot is that while Congress has a certain facility for devising and enacting large as well as small policies that no one much disapproves of, the institution becomes virtually paralytic in the face of deep-rooted public controversy. And that is why even conservatives now are demanding *leadership* from the President. For whereas Whiggish types like myself are only too happy not to have anyone do much in the way of leading, conservatives like liberals are dissatisfied and/or apprehensive with things as they are and want to change them.

It is no vote of confidence in the present to say that this is a vain aspiration. For the President is only slightly more capable than Congress of altering the direction of American national policy. Leave to one side as deceptively atypical such Presidential extravaganzas as the opening to Peking. What fundamental, or even significant, changes in national policy can we attribute to Presidential leadership during the past twenty-five years? Outside the international field, precious few. One great Presidential initiative in domestic affairs —Nixon's Family Assistance Plan—after being passed by the House of Representatives was humiliatingly defeated in the Senate: it was not even permitted to come to a vote. Two other large programs of permanent consequence can rightly be attributed to strong Presidential leadership: Johnson's federal aid to elementary and secondary education and Nixon's revenue sharing. No doubt both would have been enacted eventually; but Presidents pushed hard for them and brought them into being when they did.

Now, however, tick off the other momentous changes since 1950: civil rights, women's equality, Medicare. The Supreme Court and black people themselves took the lead in the first; women and impersonal economic forces the second; Congress the third. For the most part, despite what one has read in the feverish accounts of the Washington press corps, Presidents have confined their activities either to cheering or to looking sullen; but neither attitude had much of an effect on the outcomes.

Part of the explanation for lack of effective Presidential leadership lies in the fact that only rarely does a new President take office with any very clear policy objectives in mind. Richard Nixon and John Kennedy are cases in point: each rode into the White House on a wave of rhetoric and consuming personal ambition; each had at best (or worst) some vague notions about "getting the country moving again" or "reversing the drift of power to Washington." But this is a very long way from clear policy objectives. And the result is, each new President soon finds himself the captive of events—imperiously summoning reactions from him—and of the great bureaucratic and economic interests that preceded him to Washington and that will still be there long after he has left. The opportunity for careful policy planning has passed him by: the time and energy for it were consumed in years of campaigning.

The other part of the explanation is precisely those great bureaucratic and economic interests I mentioned a moment ago. A President quickly discovers, if he did not already know, that American society is not a *tabula rasa* upon which a bold leader can write his will in a flowing hand. Congress clutches his wrist with something like a death grip. And the federal bureaucracy hangs upon his arm like a grossly overweight, desperately jealous mistress. This Congressional drag on executive leadership is understandable to most Americans: the Founding Fathers designed it that way. But the bureaucracy? Isn't it part of the executive branch? And isn't the President our chief executive?

Yes, but. For one thing, the executive branch was never understood or intended to be a unified entity under the control of the President. As late as the 1840s, for example, Presidents themselves cautioned in gravest tones against Presidential control of the Treasury Department. Even the fundamental question of whether a President has the right to fire a department head was not resolved until 1926, in the landmark case *Myers v. U.S.* —and then that right was limited in a couple of subsequent Supreme Court decisions. More striking yet is the fact that until 1921 agencies negotiated directly with Congress for their appropriations; prior to passage of the Budget and Accounting Act of that year, Presidents had nothing more helpful to offer to federal budget-making than moral suasion.

So it is not surprising that federal administrators early developed, and resolutely cling to, a tradition of independence vis-à-vis their nominal leader. Even so powerful and self-confident a President as Franklin Roosevelt had to concede his inability to control the bureaucracy,* and all his successors have sounded the same note of angry frustration. No one tried harder to exercise control than Richard Nixon. He entered office with a solid conservative distrust of bureaucrats heightened by his own especially virulent form of the politician's disease, paranoia. "The White House sur-

*One of my favorite FDR stories appears in Marriner Eccles' memoirs, *Beckoning Frontiers*. Eccles reports Roosevelt saying:

...When I woke up this morning, the first thing I saw was a headline in the New York Times *to the effect that our Navy was going to spend two billion dollars on a shipbuilding program. Here I am, the Commander in Chief of the Navy having to read about that for the first time in the press. Do you know what I said to that?*

No, Mr. President.

I said: "Jesus Chr-*rist!"*

rounded'' is the phrase one top Nixon aide often used during the first term, no doubt reflecting his chief's sense of enemy forces pressing in from all sides. What makes it particularly relevant to the present discussion is that, according to another Nixon aide, Richard P. Nathan, it referred specifically to the bureaucracy, not to the news media or the Democratic Congress. And Nathan goes on to quote another White House aide, Michael Balzano, who by the middle of 1972 told the *Wall Street Journal*: ''President Nixon doesn't run the bureaucracy; the civil service and the unions do. It took him three years to find out what was going on in the bureaucracy. And God forbid if any President is defeated after the first term, because then the bureaucracy has another three years to play games with the next President.''

Even paranoids, the saying goes, have real enemies. The question is not so much whether the bureaucracy regarded Nixon as an enemy and determined to do him in (though no doubt Nixon himself *felt* they did); it is instead a question of policy views and commitments—and large segments of the federal bureaucracy held views and commitments opposed to those of the President. Two illustrations from Nixon's first term demonstrate this policy divergence and its consequences.

In one, the unhappy Robert Finch, Secretary of Health, Education and Welfare, is the principal victim. Suspecting the White House of insufficient enthusiasm for pushing ahead with school desegregation in the South and believing that the Secretary should represent *their* views in policy discussions in the Cabinet Room, two thousand HEW employees signed a petition to Finch demanding that he meet with them and hear their views. Characteristically, Finch at first agreed to do so, then at the last minute pleaded illness and canceled the meeting. But the damage had been done: Nixon recognized, first, that Finch simply wasn't strong enough to master that most intractable of all departments, and second, that the HEW bureaucrats at least were not even going to make a pretense of accepting leadership from the White House. (Poor Finch, hospitalized for ''nervous exhaustion,'' resigned soon thereafter.)

The second illustration had even larger policy consequences. Adroitly misinterpreting Congressional intent on the question of social services to welfare recipients, HEW program officials presided over an expansion of spending for such services that, by the early 1970s, reached budget-breaking proportions. The budget for fiscal year 1973 projected outlays of $1.2 billion for this program. By September of 1972 revised estimates placed the figure at nearly $5 billion. According to Nathan: ''Over the five-years 1968 to 1973, HEW officials projected that social-services spending would grow 20-fold, with the plateau to come at approximately $18 billion if at all. HEW Secretary Richardson and OMB officials found to their despair that *unstructured and unmonitored spending* for social services was closing out virtually all their opportunities for new initiatives in the social-program area.'' The central point here is that a bureaucratic act of will—refusing to set any standards or apply any controls—transformed a modest humanitarian gesture on the part of Congress into a sledgehammer blow at the federal budget. The fact that the blow struck at the midpoint of Richard Nixon's first term is a matter of coincidence not contrivance. But of course it served to confirm and harden Nixon's conviction that the bureaucracy would stop at nothing to sabotage his Administration.

The story of his efforts to prevent that from happening by taking direct control of the government's administrative machinery is the subject of Nathan's fascinating, if uneven and badly edited, short book, *The Plot That Failed*. For present purposes it is enough to say that the outcome of Nixon's third and most strenuous effort was still in doubt when Watergate destroyed his Presidency. I am inclined to doubt that it ever could have succeeded. The reasons for my skepticism go to the heart of the argument of this essay: not only *is* no one in charge of the federal government, no one *can* be.

Congress clutches [the President's] wrist with something like a death grip. And the federal bureaucracy hangs upon his arm like a grossly overweight, desperately jealous mistress.

In order for a President to gain real control of the bureaucracy he must somehow make it less responsive to interests other than his own. This means that, for any given agency, he must be able to force the agency to place White House policy preferences ahead of those of the Congressional subcommittees which control its flow of legal authority and appropriations and of the great economic interests which in a sense are its very reason for being. How in fact could a President do that? At the very least he would have to be able to exercise a degree of control over key members of Congress that no President has ever been able to exercise. Nor, given the fundamental nature of the American electoral system, can he ever hope to exercise such power. For members of Congress—especially those who have acquired enough seniority to gain committee chairmanships—owe nothing to any President for their reelections. They have interests of their own to which they are responsive and which are of the greatest significance in determining their length of tenure. No power other than that of the electorate can discipline them. And electorates are notoriously unwilling to take a President's word on purging an incumbent.

In this connection, too, one ought not overlook the federal judiciary as a limit-setter on Presidential power. It is not only in the banner-headline cases like the Watergate tapes or school desegregation that the courts have forced Presidents to do what they didn't want to do or prevented them from doing what they most earnestly wished to do, nor does the Supreme Court get in a President's way only when there is a sharp ideological division between the two. Like Congressmen and bureaucrats, Court members make decisions on the basis of their own individual views of correct, or at least expedient, policy. And if those views don't happen to comport with the President's, well, let him re-read his Constitution with eyes filled with tears of frustration.

To summarize the argument thus far: Presidents continue to have considerable latitude in foreign affairs (though I should be very much surprised if any President reaches again the autocratic heights of Nixon's Cambodian and Chinese ventures). In domestic affairs, however, our chief executive looks surprisingly like that Nixonian nightmare-figure, the pitiful helpless giant. His large policy objectives are held hostage by Congress, his modest policy objectives by the bureaucracy. Like Congress, he is more successful as a nay-sayer than as an innovator. And on those infrequent occasions when he and the Congress join together in enacting some great new program, the odds are that the implementation of it by the bureaucracy will make it turn out astonishingly different from what he or the Congressional sponsors had envisioned. Can anyone suppose, for example, that President Johnson intended his War on Poverty to be a series of programs, in Daniel Moynihan's phrase, ''of which the first effect would be to improve the condition of middle-class professionals and the second effect might or might not be that of improving the condition of the poor''?

Who then really is in charge of the United States government?

One doesn't have to have studied at Wittgenstein's feet to recognize that the question is unanswerable until the phrase ''in charge'' is defined. Let me say that I mean by it nothing more complicated (or sinister) than the ability, more often than not, both to set the principal agenda for government decision-making and to have the final say in cases of interinstitutional conflict. The models, in democratic regimes, would be the British cabinet or the presidency of the Fifth Republic—or, more to the point of this essay, the American Presidency as it appeared to the rapt vision of a generation of publicists and political scientists, who succeeded in transmitting that vision to lit-

erally millions of undergraduate students of American government. Was it *ever* an accurate vision? I decline to answer on the prudent grounds that that really is the subject for another, even longer essay. It is enough here to say that the President most certainly cannot now be said to be "in charge" as I have loosely defined the phrase.

No doubt, as many readers will already have remarked, the terms of the definition are too rigorous, too confining to have ever had much application to the American experience. Suppose then we loosen it a bit, no longer requiring that "in charge" entail agenda-setting and the power of the final say. Suppose instead we mean only that to be in charge is to be the principal lead-giver in the system, the institutional actor whose policy recommendations will, more often than not, and in the absence of compelling reasons not to do so, be acceded to by others.

This brings us a bit closer to home. One would not do great violence to the evidence, I think, to claim that, throughout much of this century, Presidents have had that degree at least of primacy. And if Mr. Ford does not now have it, that is a peculiarity of his situation and abilities rather than a token of any major systemic change. Should the day ever return when we elect a President by a comfortable margin and a Congress both houses of which are controlled by his own party, it is altogether likely that the White House will once again seem the very nerve center of American government, or a castle-dominant sitting high above the sprawling ineffectual chaos of Washington, D.C.

But two related caveats are in order. First: Given the rapidly deteriorating condition of our major political parties, it may be a very long time, and only after some sweeping party reconstruction, before a President will again enjoy whatever benefits flow from having "his" own party in a bicameral majority. Second: Unless there evolves a degree of internal party discipline we have not seen in this system since the first decade of the century, Congressional potentates in alliance with interest-group leaders and bureaucratic chieftains will continue to wield effective policy-making power over the broad range of federal governmental activities that most intimately affect most Americans. For again I must point out that this characteristic of the system is a consequence of its deepest structure—the way we elect our political leaders. And, indeed, as party becomes less and less important as a voting cue to most of us, this sort of political entropy can only increase, making the prospect of centralized leadership more and more remote, if not chimerical.

I conclude with an image. The United States government seems to me very like some enormous lumbering beast moving slowly but inexorably over an uncharted terrain, making its own path as it goes, from time to time lurching this way or that in response to some ferocious impingement of the environment upon it—a lightning bolt, say, or an earthquake. There are riders on its back but none controls it; most of their efforts go to keep from being thrown off and crushed. It is literally not under intelligent control. It crashes about as it does in response to stimuli that are, in principle at least, explicable. But so multitudinous, so diverse, so obscure are these stimuli that no one can ever hope to identify them all, let alone array them in a causally explanatory way. And so the great beast lumbers on, dragging us with it over its littered way.

No doubt this image will strike many readers as unduly, not to say disgracefully, fatalistic. Even if it compels a sort of uneasy shock of recognition, it should deter no one from acting as if he believed in the efficacy of political action. What alternative is there? Policies do get made and some may appear to warrant considerable faith in the likelihood of beneficent effects. It is the overall direction of American government that seems to me utterly inscrutable. One great reason is that no one is in charge; there is no driver to whom we the sovereign passengers can shout directions, but only a crowd of fettered men struggling fitfully for a temporary feel of the reins. □

The Public Policy

by Adam Meyerson

Adam Smith and "The Wealth of Nations": A Bicentennial Celebration

What do Edmund Burke, Karl Marx, Woodrow Wilson, and Milton Friedman have in common? All of them fondly admired and avidly read Adam Smith's *Inquiry into the Nature and Causes of the Wealth of Nations* (and one still does). The book must indeed be remarkable to have attracted such a diverse following of enthusiasts; and as it first made its way into print two hundred years ago this month, it may be proper to pause a while and reflect upon its significance.

To begin with, the *Wealth of Nations* is remarkable as the first great synthesis of scientific thought in economics. There is not a single idea of Smith's which cannot be found somewhere in previous economic literature, nor is there any analysis of his which has not been refined or modified by subsequent developments in the discipline. Nevertheless, the publication of the *Wealth of Nations* effectively marked the emergence of political economy as a distinct subject of inquiry. Smith's own professorship at the University of Glasgow was in moral philosophy, of which political economy was considered to be one branch. But with his systematization of a theory of economic growth based on the accumulation of capital and the division of labor, with his insistence that wealth consists not in gold and silver but in real annual income (the origin of our gross national product accounting), with his elegant description of supply and demand forces in the marketplace, and with his (sometimes contradictory) theories of value, Smith established the framework for economics as a discipline. Although later practitioners have departed from many of his particular ideas, and have used mathematical techniques far beyond his comprehension, they have generally followed the outlines of his inquiry.

The book is remarkable, secondly, as an eloquent defense of individual freedom, particularly economic freedom, or, in Smith's words, that "obvious and simple system of natural liberty" in which "[e]very man, as long as he does not violate the laws of justice, is left perfectly free to pursue his own interest his own way, and to bring both his industry and his capital into competition with those of any other man...." This defense was fortified by Smith's conviction that free competition, through the guidance of an "invisible hand" that frequently harmonized private and social interests,

would result in the most efficient allocation of resources. Smith wrote much of the *Wealth of Nations* as a tract against the mercantilist and monopolistic policies prevailing in the eighteenth century—e.g., import quotas, exclusive trading charters, apprenticeship regulations—and he subjected these restrictions on freedom to his double criticism. First, apprenticeship regulations and the like were "violations of natural liberty" and therefore unjust. And second, by interfering with the beneficent workings of the "invisible hand," they led to unnaturally high (or low) prices, encouraged an inefficient use of capital, and retarded economic advancement. Smith recognized the need for some infringements of natural liberty, for example to ensure a sound banking system, and he did not believe that the pursuit of self-interest under free competition *always* promoted the general good. But his combination of natural-rights and utilitarian arguments for economic freedom is stirring, and it has inspired economic liberals ever since.

The *Wealth of Nations* is remarkable too as a work of extraordinary scope, discoursing learnedly but unpedantically on everything from the opulence of the Saracen empire under the Abassides to the religious teachings of Zwinglius; and as a work of great literary charm, written with such a lively sense of metaphor and such a fondness for illustrations from ordinary life that it can transform the manufacture of coats into a subject of delightful reading. Smith's book is remarkable in all these ways, but I should like to suggest that there is one way in which the *Wealth of Nations* is more remarkable still—and that is in its all-embracing compassion. This observation may strike some as peculiar, for they will find it difficult to imagine how anyone who glorified competition and the unabashed pursuit of self-interest should be known as compassionate. But I suspect such skeptical souls have never read the *Wealth of Nations*; if they had, they would most likely recognize it as one of the nicest books ever written.

Had they read the *Wealth of Nations*, for example, they would have discovered that Smith's sympathies in wage disputes between masters and workmen tended to rest with the workers: he had observed, first, that masters can subsist without employees longer than workmen can subsist without employment, and, second, that "masters are always and every where in a sort of tacit, but constant and uniform combination, not to raise the wages of labour above their actual rate," and sometimes even "to sink [them] below this rate"; therefore, he argued for regulations to protect workers during wage bargaining. The *Wealth of Nations* opens with a famous celebration of the division of labor and its effect upon productivity, but if our skeptics had made their way to the back of the book, they would have read one of the most moving criticisms ever levelled at industrial society—a description of how, by simplifying work into repetitive tasks, the division of labor drives common people to torpor and boredom. Along the way the readers would have been astonished to find countless other examples of Smith's humaneness, for instance his argument that if the removal of trade barriers would deprive many people of their livelihood, "freedom of trade should be restored only by slow gradations, and with a good deal of reserve and circumspection." Smith was deeply attached to economic freedom, but not at the expense of human suffering.

Our skeptics would be astonished by Smith's humaneness, because, as I suggested earlier, they would find it difficult to reconcile his compassionate observations with his relish for competition and self-interest. Humane people are supposed to be cooperative rather than competitive, altruistic rather than selfish—and so they generally are. Smith himself, according to his biographers, was so kind-hearted and generous that he not only gave most of his substantial royalties to charity, but he did so secretly. A proper understanding of the *Wealth of Nations* shows that there is no inconsistency between the author's benevolence and his appreciation of competition and self-interest.

There is no denying Smith's fondness for the pursuit of self-interest, or as he called it, "the uniform, constant, and uninterrupted effort of every man to better his condition." Smith saw this effort as the motor force of economic growth, in that it led both to the accumulation of capital and, by encouraging exchange, to greater division of labor. He imbued its vigor with a sacredness and a kind of mystery, comparing it to the "unknown principle of animal life." Above all, he took genuine delight just in seeing men strive to improve their lives in the way they thought best. This is not to say that Smith was unaware of the danger that one man's greed might pose for another's well-being. In fact, the fiercest language in the *Wealth of Nations* was directed against the "mean rapacity" of merchants and manufacturers, and Smith thought that one of the great virtues of marketplace competition was that it protected people from the avarice of businessmen. But he recognized that, like it or not, people *are* generally actuated by self-interest, even those, like university professors, who try to disguise their motivations under a veil of high-minded purpose. And as he was so kindly disposed to humanity, Smith accepted people as they are, with all their foibles and pretensions, and did so cheerfully.

Smith's fondness for self-interest, however, cannot be understood apart from his appreciation of the social character of the marketplace. He recognized how the excesses of self-interest are held in check by the very mechanism of market exchange, for the seller must satisfy his customers if he is to achieve his own ends. This is what Smith meant when he observed that in pursuing his own interests, an individual is "led by an invisible hand to promote an end which was no part of his intention." Provided the marketplace is competitive, and the buyer has a choice of sellers, the seller necessarily promotes an end he did not intend—someone else's interest—and he "frequently promotes that of society." A corn merchant, for example, finds it most profitable in times of food scarcity to ration the corn he brings to market in exact proportion to the exigencies of consumer demand. Note the *humane* significance of competition here: each seller is guided by the pressure of the market to please buyers.

Smith never expected human society to adopt a system of economic freedom and marketplace competition. The "wretched spirit of monopoly" was too pervasive, too many private interests benefited from existing restrictions, and legislators were directed too much "by the clamorous importunity of partial interests" to take "an extensive view of the general good" which would lead to such an adoption. And herein lies the ultimate niceness of the *Wealth of Nations*: Only a fundamentally benevolent and *un*self-interested man would take the position that the public interest is best served by the free interplay of private interests. Throughout the book, Smith argued against the national envy and malignity implicit in trade restrictions aimed at "the impoverishment of all our neighbours." He argued against the greediness of merchants and manufacturers forever seeking to narrow their competition. He showed that a free market economy can maintain itself only when suffused by a just and benevolent spirit.

It is altogether fitting that we should be celebrating the two hundredth anniversary of the *Wealth of Nations* in the same year as our own nation's bicentennial. Smith was fascinated by America—by its abundance of good land, by its extraordinary economic advances, above all by its spirit of freedom. Indeed, he saw such a connection between the prosperity of the American colonies and their "liberty to manage their own affairs" (despite British restrictions on foreign trade) that he frequently illustrated his argument for the "simple system of natural liberty" with American examples. While not in favor of American independence, he thought that the members of the Continental Congress were "contriving a new form of government for an extensive empire, which, they flatter themselves, will become, and which, indeed, seems very likely to become, one of the greatest and most formidable that ever was in the world." We have fulfilled Smith's expectations, and have become not only a great and formidable empire, but the freest and most prosperous nation that has ever adorned this earth. As Milton Friedman pointed out recently in these pages, we have also been the most philanthropic. The world seems to be in an anti-American mood these days, and we seem to kick ourselves every chance we get, but it is worth considering in this joint bicentennial year, that we, like Adam Smith, just might be awfully nice. □

William F. Buckley, Jr.

Reflections on "The Road to Serfdom"

(Mr. Buckley's essay has been adapted from a paper he presented at a Special Meeting of the Mont Pelerin Society held at Hillsdale College, Michigan, in August 1975, to celebrate the work of Friedrich Hayek. The Hillsdale College Press will publish the seven papers presented at the meeting—including Mr. Buckley's—in a book to appear early this year.)

As we look back on the excitement caused by the publication of Friedrich Hayek's *Road to Serfdom*, we wonder how it could have happened. It is a tribute to him, and to his small book, that we should be able to say this. The principal theses of the book are by now so very well known, even if they are not by any means universally accepted, that they appear almost self-evident. Mr. Hayek has always taken scrupulous care to give credit, if it is faintly plausible to do so, to others who articulated ideas before he did, and indeed sometimes, on reading the footnotes to his *Constitution of Liberty*, one almost has the feeling that the book is a collection of after-dinner toasts by Hayek to great philosophers, political thinkers, and economists, from Thales to Ludwig von Mises. But he cannot shrug off the credit for having brought much of it all together: the integrated perception of the relation between law, and justice, and liberty. And, in an age swooning with passion for a centralized direction of social happiness and economic plenitude, that squirt of ice water, presaged by the quotation he selected as epigraph to his book, the wry observation of David Hume that "it is seldom that liberty of any kind is lost all at once." Rather, Hayek explained, it is lost gradually; and it is lost by assigning vague, extra-lawful mandates to men of political authority who take on tasks which they cannot be expected to perform without absorbing all the knowledge, values, preferences, and passions of all their fellow men; and this no political authority—indeed, no animate or inanimate body—can do. Accordingly, the political authority has no alternative than to usurp. The necessary result of that usurpation is the corresponding loss in the freedom of the body in which the authority previously reposed. Over a period of time, that kind of movement must lead us down the road to serfdom, into that amnestic void toward which, Orwell intuited, evil men were for evil purposes expressly bent on taking us; which void Professor Oakeshott sees us headed towards under the impulse of our own indisposition to bear the heavy responsibilities of freedom.

Hayek brought to his thesis the great prestige of an economist unblemished by the tattoo of ideology. Indeed, during the 1930s his reputation was almost exclusively technical, and we are informed that historians will in due course remark that the great technical debate of the early 1930s was actually between Hayek and Keynes. One can only hope that by the time they get around to saying this, they will get around to saying that Hayek won. Now that the Nobel Prize Committee has taken pains to honor Professor Hayek's technical contributions to economic science, alongside Gunnar Myrdal's contributions to something or other, one is reminded of a sentence from Hayek's "The Intellectuals and Socialism": "It is especially significant for our problem that every scholar can probably name several instances from his field of men who have undeservedly achieved a popular reputation as great scientists solely because they hold what the intellectuals regard as 'progressive' political views; but I have yet to come across a single instance where such a scientific pseudo-reputation has been bestowed for political reasons on a scholar of more conservative leanings."

* * *

Hayek brought then a great prestige and a dazzling capacity for synthesis to propositions which, although they had been ably defended over a period of years, were widely thought, by the academic community in particular, to constitute nothing much weightier than the ululations of a propertied class suddenly bereft—in virtue of its incompetence to handle a great depression, and its forfeited authority over public opinion—of power. To hear such thoughts uttered by businessmen at conventions of the National Association of Manufacturers, and quoted in the *Reader's Digest*, was one thing. To hear them uttered by a quiet, profound academician, and reprinted in the *Reader's Digest*, was something else. The counterattack was vigorous, in some cases highly personal and vindictive, in other instances grand and supercilious. But before long Hayek was writing that the "hot socialism," as he called it, against which he had polemicized in *The Road to Serfdom*, was doctrinally dead, but that its "conceptions" had penetrated so deeply into the public consciousness that it mattered not very much that the theology of socialism was discredited, any more than it appears to matter greatly that, if we take Solzhenitsyn's word for it—and I will; today, tomorrow, and always—one cannot find in all of Moscow an orthodox Marxist. The forms of socialism are quite sufficient to do the deadly work. The intellectuals, many of them all along uneasy about the chimerical vanities of utopian socialism, are no less entrenched in their distaste for the kind of society they understand to be the necessary consequence of a free market economy. That passion for freedom that catapulted us two hundred years ago into national independence and into the most exciting attempt in history at the incorporation of human freedom into a federal constitution, had by and large reduced to a velleity for some kinds of freedom, though a complicated libertarian vocabulary was constructed the purpose of which was to demonstrate that freedom is in fact enhanced, rather than diminished, when we assign to the government control over our lives. Irving Kristol has said that the stunning paradox is that the intellectual fight against socialism is triumphant even as the forces of socialism triumph: and that this they manage to do by arguing that socialism isn't really about economic efficiency and, correlatively, by disdaining freedom insofar as it attaches in any way to property or commerce. We are several times disadvantaged in the struggle. For one thing, the arguments of the collectivists are more obviously appealing. For another, "it seems to be true," as Hayek wistfully put it in his essay on the subject, "that it is on the whole the more active, intelligent and original men among the intellectuals who most frequently incline toward socialism, while its opponents are often of an inferior caliber." And, finally, though the other side is increasingly evasive on the point, you can spot, slouching about in the grander statements of socialist purpose, inflections of an eschatological character, which, in the nature of things, traditional liberalism lacks, quite properly so. Yet even if we eschew a redemptive creed we should, Hayek says, "offer a new liberal program which appeals to the imagination." In fact, he goes further, as we shall see.

...if we take Solzhenitsyn's word for it—and I will; today, tomorrow, and always—one cannot find in all of Moscow an orthodox Marxist.

* * *

I elect to touch on these three observations of Mr. Hayek, taking the liberty of treating his essay on the intellectuals as something of an afterword to *The Road to Serfdom*, which it properly is, I think. I advance three propositions.

1. The freedom to deceive is overindulged.

In one of her excellent essays, Simone Weil remarked that Etienne Gilson's account of the history of ancient Greece was factually incorrect in respect of the life of the helots, and that in a just and well-ordered world his book would be suppressed, and he would himself be subject to a civil lawsuit, the plaintiff being the Truth, which, in Simone Weil's society, would have legal standing.

Now this position is something of a caricature, but it is crankily instructive in an age where freedom of expression has brought virtual immunity to those who deceive. Foremost among those who do so, as a class, are, of course, the politicians. But in a society in which there is also freedom to criticize, the politicians would probably not get away with it except for the indulgence of the only class of citizens professionally trained to isolate untruth, and shoot it, bang bang, right down to earth.

I do not seek to codify this proposition by giving it constitutional lineaments, or even by proclaiming a Hillsdale Manifesto. But I do propose that we meditate far more extensively and seriously than we have done since the publication of *The Road to Serfdom* the civil consequences of the extraordinary immunity of the advocates of the superstitions of communism, of socialism, of redistributionism, of inflation, of dirigisme, from the bar of public opinion. It has been remarked that Professor Hayek's public manners are exemplary. Nowhere in the literature does he give way to spite, nowhere—quite the contrary—does he suggest that there are ulterior motives in those who, piping us down the road to serfdom, make the music of abundance and justice and joy. It is perhaps the most frequently summoned jape at the expense of representative democracy to recount the story of the earnest legislator who sought one day to lighten the load of the schoolchildren of Indiana by introducing a law that would trim down the value of *pi* from 3.1416, to the more manageable figure of 3. The response was instantaneous. It did not come alone from men and women professionally capable of handling calculus. The hilarity came alike from the mathematicians and their fellow travelers, whose derisory laughter is even now renewed with each retelling of the famous episode.

I shall return this afternoon to the nervous center of the cultural world, groaning under the weight of the greatest density of intellectuals per acre this side of Socrates' academy; but I have not heard it asserted from any New Yorker, save the isolated immigrants from Mt. Pelerin, that no respectable canon of re-

[Simone Weil's] position is something of a caricature, but it is crankily instructive in an age where freedom of expression has brought virtual immunity to those who deceive.

distributive justice recognizes the duty of residents of Detroit, or West Virginia, or Key West—or even Palo Alto—to subsidize the cost of rapid transit in New York City. Much there is that we do not know, but some things there are that we do know. And self-respect requires that we stimulate the social and academic sanction against that which is misleading, let alone preposterous. But Ralph Nader, the only social hero of our time, is obsessed by how many corn flakes are missing from the package sold at the grocery store, while undisturbed by how many middles are undistributed in the speech of a typical politician of the Left. The social success of freedom requires something of an extra-ideological devotion to analytical rigor and to the integrity of language. Hayek quotes Dorothy Fosdick in a state of what one can only describe as despair, upon reading John Dewey on the meaning of freedom. "The stage... is fully set," she writes, "for... [the identification of liberty with some other principle, such as equality] only when the definitions of liberty and of equality have been so juggled that both refer to approximately the same condition of activity. An extreme example of such sleight of hand is provided by John Dewey when he says: *'If freedom is combined with a reasonable amount of equality, and security is taken to mean cultural and moral security and also material safety, I do not think that security is compatible with anything but freedom.'* After redefining two concepts so that they mean approximately the same condition of activity," Miss Fosdick sighs, Dewey "assures us that the two are compatible."

As the intellectual case against socialism becomes, by experience and analysis, firmer, the threat of socialism becomes, paradoxically, greater; and I find myself wondering whether the soupy indulgence shown by right-minded intellectuals to those who deceive in order to play out their ideological passions, does not emerge less as an act of intellectual charity, than of moral despair, and epistemological pessimism.

* * *

2. The inferiority of the class of intellectual defenders of capitalism is less critical a factor in contemporary circumstances than the moral inferiority of capitalists.

Hayek has complained about the "inferior caliber" of those intellectuals who incline in favor of the free market, by comparison with those who defend socialism. He is right, though less so, by far, than when he wrote those dismaying words, before the great intellectual offensive of the past twenty years, for which he is so substantially responsible, which has left the socialists in disarray. Professor John Kenneth Galbraith, giving an interview recently to a London journalist, said that he was forced to admit that, whereas fifteen years ago he and his colleagues were pretty well convinced that there were no serious problems left unanswered in economics, he recognizes now how much there is left to discover.

If there is so much left for you to discover, *a fortiori* we can imagine how much there is left for Professor Galbraith to discover. One wishes, discreetly, that, as one experiences one's ignorance, *pari passu* one would lower one's voice. But to be apodictic is of course a necessary part of Professor Galbraith's style. I was recently with him in Switzerland attempting, at lunch, to find a common blank in our calendars, in order to schedule a network exchange in New York for which we had contracted. I proposed to him the first week in April, but he replied, studying his engagement book, that that would not do, that in the first week in April he would be lecturing at the University of Moscow. "Oh?" I said. "What do you have left to teach them?" So long as Mr. Galbraith continues to teach economics to the Soviet Union, we will have a market for our excess grain. His contribution to the Ever Normal Granary.

For all his tergiversations, Mr. Galbraith has never wavered on one inclination, and that is his contempt for American capitalists—I speak, here and below, of the class, not of individuals. I fear that in this matter he is uniquely correct. He chronicles not only the cupidity, but the parasitic habits of so many of them, the predatory character of their belief in the marketplace. I hope to be understood as saying something more interesting than that greed is the root of many evils, a bipartisan conclusion about human nature. Although Adam Smith did not use the word to describe the instinct of industrial man to improve his lot, he was sardonically aware of the factor of inordinate self-interest, and of the sublimated variations one could play on it. He wrote, for instance, in *The Wealth of Nations* that "the late resolution of the Quakers in Pennsylvania to set at liberty all their Negro slaves, may satisfy us that their number cannot be very great." →

Recently, addressing the AFL and CIO in Washington, Solzhenitsyn proclaimed the natural alliance of the American worker and the Russian worker in an entirely non-Marxist frame. But, he added, there is "another alliance: the alliance between our Communist leaders and your capitalists." He went on to discuss a recent exhibit in the Soviet Union of United States anti-criminal technology that engrossed the Russians, who instantly put in orders for the lot, cash on the barrelhead. The problem, Solzhenitsyn pointed out—breaking loose from the disinterested terms of the marketplace—being that we were selling our scientific paraphernalia not to the law-abiding for use against criminals, but to criminals for use against the law-abiding: rather like inventing the guillotine for the purpose of slaughtering cattle, and then selling it to Robespierre in full knowledge of the uses to which he intended to put it.

"This is something which is almost incomprehensible to the human mind," Solzhenitsyn said: "that burning greed for profit which goes beyond all reason, all self-control, all conscience—only to get money." Solzhenitsyn cannot be expected to be familiar with the nuances by which a successfully ordered free market economy administrates, and finally puts a limit on, the uses of greed. But we can hardly blame him if he sees, with that laser purity of his moral vision, only the silhouettes: American businessmen, like their great-grandfathers trading in the slave market, anxious to turn a profit by trafficking with the contemporary generation of slavemasters.

But that greed, which so outraged such resonant critics of the free market as Veblen and Tawney, is less I think a mutation of capitalism, let alone an organic development of it, than a culturally conditioned indifference to principle, a stubborn moral nescience, a fugitive unconcern for cultivation of values only a painstaking care for which can guarantee the survival of free men. I speak of a class of self-conscious men, atrophied by two generations of contempt by academicians and moralists, which reacts by exhibiting a libertine indifference to the quality or direction of political-economic instruction in the colleges they patronize; to which they send their sons and daughters, for impacted indoctrination in the evils of the society they sustain, or are sustained by. Of a class that—out of cultivated ignorance—permitted Ludwig von Mises and even Hayek to live in an economic insecurity very nearly paralyzing; that sustains, indeed causes to flourish through gaudy advertising, the popular journals that combine in resolutely fixed ratio, licentious assaults on the venerable, delicately-nurtured restraits on rampant biological appetites, and fundamentalist condemnations of American institutions and ideals. The American capitalist whose image reifies in the mind of the young is not even the smug, canny, willful powerbroker of Upton Sinclair. He is the inarticulate, self-conscious, bumbling mechanic of the private sector, struck dumb by the least cliché of socialism, fleeing into the protective arms of government at the least hint of commercial difficulty, delighting secretly in the convenient power of the labor union to negotiate for an entire industry, uniformly successful only in his escapist ambition to grow duller and duller as the years go by, eyes left, beseeching popular favor. Poor Miss Rand sought to give him a massive dose of estrogen, to make him virile and irresistible, leader of a triumphant meritocratic revolt against asphyxiative government... but soon it transpired, even as Russell Kirk predicted, that her novels were being read not because of their jackbooted individualism, but because of the fornicating bits.

So long as Mr. Galbraith continues to teach economics to the Soviet Union, we will have a market for our excess grain. His contribution to the Ever Normal Granary.

The entrepreneurial class can only change its image by taking lusty joy from its achievements, and by seeing it, as Isabel Paterson insisted we must see it—whole or not at all—as springing season after season from a trampoline of assumptions which are the warp and woof of freedom and progress. I shall not soon forget the scene, symbolic of the triumphs of demagogic terror over productive enterprise: Senator Scoop Jackson, sitting high in his committee chair, addressing the 12 top officials of the oil and gas industry, meekly astride their stools at the bar of justice, publicly chastising them on their obscene profits. How bracing it would have been if, as one man, they had risen to their feet early in the tirade and walked out, leaving the Senator lecturing only to the television cameras, which of course he was primarily addressing. Cecil B. DeMille gave up a million-dollar contract because he refused to pay the sum of one dollar to a labor union with a closed shop. Cecil B. DeMille is dead, and all the mighty work of Hayek, and Mises, and Friedman have not bred his replacement.

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My final proposition is this: *The opposition to socialism must remain primarily negative, and takes strength from being so.*

Professor Hayek, in the passage already quoted about the need for new liberal programs that appeal to the imagination, goes on. "We must," he says, "make the building of a free society once more an intellectual adventure, a deed of courage. What we lack is a liberal Utopia, a program which seems neither a mere defense of things as they are nor a diluted kind of socialism, but a truly liberal radicalism which does not spare the susceptibilities of the mighty..."

Mr. Hayek is so very correct in so much of what he says, one hesitates to cavil, and does so only under the libertine dispensation of this permissive organization.

Of *course* we need imagination: so does B.B.D.&O. in selling hot dogs or shampoo.

Certainly we need courage, a quality of Evil Knievel as of Thomas More, with, however, a world's discrimination between their use of it, though I do not need to be reminded that Knievel has survived, and More did not.

Intellectual adventure is nowadays best defined as treating respectfully that which was accepted as a truism only a few generations ago.

The need for a liberal radicalism is manifest, and no single person living has contributed more than Hayek to an intimation of what such radicalism might bring us by, for instance, a separation of the legislature into two bodies, the one authorized only to pass laws of the kind associated with the rule of law, laws generic, impartial, intelligible, the structural beams on which the folkways of society weave about like ivy, susceptible to training, direction, fancy, caprice, even.

What we do *not* need is anything that suggests that human freedom is going to lead us to Utopia. For one thing, it isn't going to happen; and therefore any conceits on the matter are quickly seen as ideological vanity, discrediting to the unassuming virtues, however exhilarating when discreetly imputed to human freedom.

Mr. Hayek is so cautious a craftsman as to cause even someone intoxicated by his summons to intellectual adventure to wonder whether his summons to Utopia might have been the mischievous working of atmospheric gravity on his numinous pen. My knowledge of his work is limited to his nontechnical writings, and flawed by my porous memory, but I cannot offhand remember any other call by him to the pursuit of Utopia—which is not even listed as a subject heading in the *Constitution of Liberty*—nor even Utopia's poor relation, eudaemonia, though I am buoyant enough to believe that if we were to follow Hayek's prescriptions, we would come, if not to eudaemonia, at least to something not far removed from that happiness which results from the governance of reason, always understanding that that is an incomplete, indeed a contingent happiness.

The perspectives of Hayek are always

great, every recorded intellectual endeavor serving him as a stilt, of great cumulative elevation. But so great as to induce him to deliberate respectfully the relativist obsessions of other thinkers, which I however view as lime spread over Hayek's life's work. Thus he quotes Michael Polanyi as saying a few years after *The Road to Serfdom* was published, "The conceptions by the light of which men will judge our own ideas in a thousand years—or perhaps even in fifty years—are beyond our guess. If a library of the year 3000 came into our hands today, we could not understand its contents. How should we consciously determine a future which is, by its very nature, beyond our comprehension? Such presumption reveals only the narrowness of an outlook uninformed by humility."

In his own words, Hayek declares: "it would be an error to believe that, to achieve a higher civilization, we have merely to put into effect the ideas now guiding us. If we are to advance, we must leave room for a continuous revision of our present conceptions and ideals which will be necessitated by further experience."

I find it perplexing to combine this high relativism with any notion, however careless, of Utopia. And although fashionable rhetoric flirts alike with the elasticity of standards (*what is freedom?*) and with the realizability of Utopia on earth, I find the temptation to the latter illusion less frequent in the work of serious conservatives, or even of dress-suited whigs, than in that of the ideologists who have done so much to wreck our century.

Mr. Hayek gave an example of his great intellectual courage when, in his great book on liberty, he girded his loins, kissed goodbye to his wife, made out his will, and came out against the progressive income tax. That was both audacious and exhilarating; and indeed if ever his counsel on the matter were accepted, I have no doubt whatever that any society would benefit comprehensively, and that the tuning fork of justice would resonate with the joy of bells in the morning. But we would not have achieved Utopia. We would be left, for instance, without any guide to how the liberated taxpayer would spend his repatriated surplus; I know of nothing in libertarian literature that is instructive on the point. But there is a great and brooding literature that is instructive on such moral matters, but it is a literature that speaks with a humility that goes far beyond the historicistic humility of Michael Polanyi in reminding us that heaven is not for this, but for another world, and that final satisfactions are taken from adventures in faith, hope, and charity unrelated to the marketplace. In that other world, I do not hesitate to predict, Friedrich von Hayek will be garlanded and praised for his contributions to a social philosophy that reflects the dignity of metaphysical man. If I should happen to make it there, I shall gladly join as a minor member of the chorus, confident that that final act of utopianization will bring my voice into total harmony with those of the legions who praise his name. □

The Talkies

by Robert Asahina

Barry Lyndon

Reverence and solemnity are usually regarded as characteristic of religion and not of cinema, the "liveliest art": Gravity is thought to be inimical to the high spirits of movies, especially American movies. As if in unintentional confirmation of this thesis, Stanley Kubrick has directed a new film, *Barry Lyndon*, which offers three and a half hours of failed seriousness.

It seems odd that Kubrick chose to adapt for the screen not some literary classic of a scope commensurate with his cinematic ambition, but instead a pseudonymously authored minor novel that was William Thackeray's first published work. *The Memoirs of Barry Lyndon, Esq.* is a mid-nineteenth-century picaresque novel about the social climbing of a mid-eighteenth-century Irish upstart. As literature, it suffers from the same shortcoming, or dubious virtue, that George Orwell identified as typical of all of Thackeray's works, including *Vanity Fair*: the "flavor of burlesque, of a world where no one is good and nothing is serious." And the essential frivolity of the material seems matched by the indifference of Kubrick's casting: Ryan O'Neal as Barry, and fashion model/jet-setter Marisa Berenson as Lady Lyndon.

But Kubrick has used this lightweight material and these lightweight performers in a movie whose ponderousness belies the narrow limitations of both. The most banal lines are quoted directly from the novel with a solemnity completely incongruous with the ironic spirit, however thin, in which they were originally written, and the result is unintentional humor directed at the film's pretentiousness. This pretentiousness is accentuated by the pompous off-screen, third-person narration—a significant change from the first-person narration in the novel—and by the sound track, which is made up of bits and pieces of eighteenth- and (anachronistically) nineteenth-century works. Partisans of Kubrick's films have often touted his ability to integrate music into the total cinematic experience; but I suspect that their awe stems from a combination of their ignorance of serious music and Kubrick's heavyhanded —and thus obvious, even to the tone-deaf—use of music to offer "weighty" aural accompaniment to visual experience. In any event, the effect in *Barry Lyndon* is enough to set one's teeth on edge (although I suspect that the sound track album of the movie will become a best-seller—like the sound track album of *2001*, which was equally "serious").

The pretentiousness of the movie is further revealed in other departures from the novel. The film ending—in which Barry is defeated in a duel by his stepson, who thus avenges the mistreatment he previously suffered at Barry's hands and ultimately brings Barry to ruin—is not to be found in the novel; and one can only speculate that Kubrick fabricated it to give the film a moral dimension that the novel lacks. This suspicion is underscored by Kubrick's cinematic techniques, which seem to be meant to emphasize the opulent decadence of the eighteenth century. But after the first dozen or so shots that linger on the vast interiors of grand castles, or on their ornate furnishings, or on powdered wigs and faces, it is clear that the film has become an example of what it purports to disdain.

Nevertheless, the visual splendor of *Barry Lyndon* does offer a clue to understanding the paradoxical and exaggerated reverence with which Kubrick has directed this adaptation of a novel so unworthy of such grandiosity. Kubrick re-

peatedly begins a scene with a relatively close-range shot of the characters, only to pull back to reveal a typically grand landscape. Kubrick's partisans have extolled this technique as the creation of tableaux, of dramatic contexts that permit concentration on the "externals" of the characters rather than their motivations. Since the movie so clearly lacks any sustained dramatic interest, this is like justifying dullness by appealing to its intrinsic fascination. Moreover, all Kubrick has done with his tableaux is to "rediscover" a favorite trick of nineteenth-century landscape painters, who often placed tiny figures in their paintings to convey the supposedly grand scale of the scene. Kubrick *might* have been aware of this, and might even have intended his tableaux as ironic, pseudo-nineteenth-century visual representations of eighteenth-century scenes—a cinematic parallel to the literary stance implicit in Thackeray's writing about a century previous to his time.

But I doubt that Kubrick was so reflective about the nature of his endeavor. For the clue to his filmmaking lies precisely in his artless reverence for cinematic technique. Much has been made of the advanced technology which enabled Kubrick to film scenes by candlelight—the development of a super-fast lens from the cameras originally used for the moon-shots. And sure enough, whenever he can—even when there is no compelling dramatic reason—Kubrick sticks in a shot by candlelight, just so that we can see those marvelous golden tones, and just so that he can present another example of his virtuosity. It is this obsession with technique—also apparent in his tableaux and in his lingering museum-piece interior shots—that explains the pretentiousness with which he has filmed such a minor literary work.

Admittedly, it is effective, and even powerful, filmmaking: for all its dullness, I was never really *bored* with *Barry Lyndon*—that is, I never found myself dozing, or looking at my watch. In fact, I was almost transfixed by the splendor of the photography, especially the landscapes. But that does not attest to the artistic merit of the film—one can be fascinated by the images in expensive coffee-table books, but their content rarely justifies either the expense or the effort, and their fascination does not necessarily—and does not very often—imply that they have any artistic worth. As stunning as the landscapes were, since they were devoid of any internal dramatic interest, they might as well have been filmed for a documentary by the Irish national tourist board.

For implicit in this aesthetic elephantiasis is a contempt for the dramatic material, a disdain of "content" in favor of "style." And it is this disdain that Susan Sontag sees as central to "camp": "Camp art is often decorative art, emphasizing texture, sensuous surface, and style at the expense of content." Camp highlights the contrast between "silly... content and rich form." What other explanation is there for the little attention that Kubrick pays to the story? Or for the contemptuously indifferent casting? Far from expanding the medium, with his obsession for the formal elements of filmmaking Kubrick has reduced movies to merely a panorama of static images. In *Barry Lyndon,* Kubrick aspired to the level of high art, but he succeeded only in attaining the level of High Camp. □

Henry Regnery

Liberalism and American Public Opinion

It is my purpose in what follows to describe an existing state of affairs, with the hope that in so doing I can make a little more understandable decisions and actions by some of my countrymen which must, on the face of it, appear utterly inexplicable, if not irrational. I will try to show why, for example, the American press took such obvious delight in the destruction of a President, without regard for the effect their actions may have had on the stability of our institutions or on the American position in the world; or, to go back some thirty years, to explain the underlying reasons for what George Kennan called the "casual American acquiescence" in the appalling territorial changes made at the Tehran and Yalta Conferences, changes which were completely contrary to the national interests of the United States and to our professed war aims, devastating to the security and stability of Western Europe, and completely contrary as well to the humanitarian principles we have traditionally undertaken to stand for.

It is my thesis that public opinion in the United States, and, therefore, public policy, are strongly influenced, if not dominated, by liberalism, and that this has been the case for the past forty years. The effectiveness of the control which the liberal establishment has been able to exercise in our immense country, without recourse, it should be said, to force or any sort of government action, was made possible by the extent to which those in a position to influence opinion—the journalists, critics, writers, teachers—adhere to a single set of ideas and beliefs, by the nature of modern communications, and by the utter incapacity of those of contrary opinions to comprehend what was going on.

Before going any farther, I should try to make clear what I mean by liberalism. Modern American liberalism—the kind I refer to—superficially seems to have little in common with European liberalism of the nineteenth century, from which, however, it is a perfectly logical development. Traditional liberalism stood for a maximum of individual responsibility and a minimum of coercion over the life of the individual, whether by the state, the church, or the force of custom and tradition. Modern American liberalism, on the other hand, is invariably on the side of the state, of public power as opposed to private power; it has endowed public power, in fact, as Ronald Berman puts it, "with a kind of immaculateness that has theistic reverberations." This, however, is really not surprising, for liberalism, which was born in opposition to the existing order, had, almost by necessity, to develop into something quite different from the position from which it started. As T.S. Eliot put it, in *The Idea of a Christian Society*: "By destroying traditional social habits of the people, by dissolving their collective consciousness into individual constituents, by licensing the opinions of the most foolish, by substituting instruction for education, by encouraging cleverness rather than wisdom, the upstart rather than the qualified... liberalism can prepare the way for that which is its own negation: the artificial, mechanised or brutalised control which is a desperate remedy for its chaos."

Liberalism is not a coherent, consistent body of ideas, as the positions taken by liberals over the years clearly show. In the early 1930s, American liberals were largely pacifist in their attitudes and took a leading part in the writing of the "revisionist" histories of American intervention in World War I, which they came to blame on the international bankers and munitions makers, the "merchants of death," as they came to be called. With the outbreak of the European war in 1939 however, and especially after Hitler's attack on Russia, the liberals vociferously clamored for American intervention, maligned any expression of opposition to their position, and supported and furthered every aspect of the Roosevelt foreign policy, from Unconditional Surrender to the war crimes trials. The liberal favors democracy, regards democracy, in

fact, as the only legitimate form of government, but consistently defends, even welcomes, every left-wing dictator who appears on the scene, whether Lumumba, Nkrumah, Castro, or Allende, so long as he makes the proper democratic protestations. He is opposed to coercion, but not if it is exercised by a labor union, or for some cause he favors, such as civil rights, racial integration, or equality. He is violently opposed to any form of dictatorship on the Right, whatever the circumstances that brought it about, but Communist dictatorships have an almost irresistible attraction for him; he is repelled by their brutality and ruthlessness, but is overwhelmed, nevertheless, by the apparent grandeur of the overall conception of Communism, of the completely planned, rational society, where everyone is equal, and where each has his place and purpose. Evil, for the liberal, is not an existential fact but a social problem, and like all social problems, subject to solution. He rejects the idea of original sin—except, perhaps, in the case of Richard Nixon—but believes instead that whatever tendency toward evil man shows is a result of social influences rather than any innate human flaw; the criminal is not to be blamed for his crime, but society. He prefers planning to spontaneous development, and equality to a society of classes and differentiated responsibilities. The liberal, to put it briefly, does not accept man as God made him, the human condition as it is, nor society as it has come down to us, but believes that all are capable of immediate and rapid improvement, especially if liberal recipes are followed.

It has been pointed out before, by Hayek, Schumpeter, and Schelsky, among others, that modern communications—the mass press, television, and radio—have given the "scribblers," as they were once called, the people who dominate the popular dissemination of ideas and information and presume to speak for us, unprecedented power and influence. Both Hayek and Schumpeter call such people "intellectuals," Hayek defining them as "secondhand dealers in ideas," and Schumpeter as "people who wield the power of the spoken and written word" without having responsibility for practical affairs. However defined, we all know pretty well who they are and what they do. The President of the United States, we in our country are often told, is the most powerful man in the world, but as the fate of Richard Nixon demonstrated, the "secondhand dealers in ideas" are more powerful still. Nixon was the first man since the 1930s to become President in defiance of the media, but the media were able, admittedly with his help, to destroy him. Without the enormous barrage of publicity the combined forces of press, TV, and radio were able to concentrate on Watergate, it would have made no greater impact on public opinion than, say, the Bobby Baker case during the Administration of Lyndon Johnson. The liberal media, on the other hand, can make such men as Adlai Stevenson or Willy Brandt, whose only claim to distinction was rhetorical skill of a high order, into world figures; as subsequent events have demonstrated, however, the media can indeed bestow prominence and influence, but the power to bestow greatness eludes them.

A factor which has made the media in the United States particularly subject to liberal control, in spite of the size and diversity of the country, is the extreme concentration of communications in New York and the peculiar nature of New York itself. Book publishing is largely centered in New York as are the news services, nearly all the national magazines are published in New York, by far the most influential newspaper, the "newspaper of record," is published in New York, the control of the great foundations—Ford, Rockefeller, Carnegie, Guggenheim—is concentrated in New York. The *New York Times* can largely determine the fate of any trade book published in the United States, the careers of professors in all the universities are influenced by the awarding or withholding of grants by the foundations, and the reputation and income of

writers by what the New York critics say about them. New York, as the intellectual and communications center of the United States, exerts a strong influence on the opinions expressed in every newspaper in the country, on the books chosen by every librarian and sold in every bookstore. The entire educational system, from the elementary school in a small town to the most distinguished university, is influenced indirectly, but in a decisive way, by the dominant position of New York in American society. In all this the New York intellectual, the "secondhand dealer in ideas," as Hayek calls him, plays an influential, if not to say dominant rôle. By giving him the enormous apparatus of communications, technology and business organization have made the intellectual one of the most influential members of modern society.

To illustrate what I have been saying about the overwhelming influence of New York on what is thought, read, and believed in every part of our country, I quote the following from the recent book *The End of Intelligent Writing* by Richard Kostelanetz, who, however, I should add, sees it all from quite a different standpoint than I do: "What began in the thirties as a collection of ambitious young writers became, by the sixties, the most powerful establishment ever seen in literary America; and they dominated the scene as it had never been dominated before.... 'The New York intellectuals' they began to call themselves...." My second quote from Kostelanetz is this: "In his sociological study of the reading preferences of American intellectuals in 1970, Charles Kadushin identifies 'an oligarchy of influence [structured around] eight journals—*New York Review of Books*, *New Republic*, *Commentary*, *New York Times Book Review*, *New Yorker*, *Saturday Review*, *Partisan Review* and *Harper's*'—three of which are securely within the mob [the New York 'literary establishment' he described above], three more of which are very susceptible to the mob's promotions...." All except for the *New Republic*, I might add, are published in New York, and all except perhaps *Commentary* are decidedly liberal.

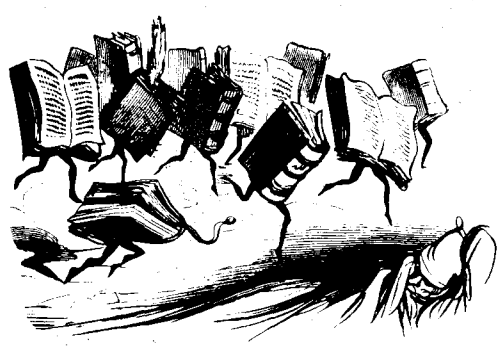
But what, it is fair to ask, does all this have to do with Nixon and Watergate? The liberal media have regarded Nixon with implacable hatred ever since the Hiss case, the deeper significance of which the liberal intellectuals understood far better than the ordinary, uncomplicated American. The career of Alger Hiss until his conviction for perjury by a federal court in New York was a spectacular success—a graduate of the Harvard Law School, he rose, after various positions in government agencies during the early days of the New Deal, to one of the most influential positions in the State Department, was a friend of Mrs. Roosevelt and an advisor to the President at the Yalta Conference, and became Secretary of the San Francisco Conference, where the United Nations Charter was adopted. After leaving the State Department he became Executive Secretary of the Carnegie Endowment. To offer evidence that a man with such credentials as a member of the liberal establishment was also an active member of the Communist underground, as Whittaker Chambers did, was to attack the credibility of the whole liberal position, as none understood better than the liberals themselves, and without the intervention of Nixon, then a member of Congress, at a critical point in the proceedings, it is doubtful that Hiss would ever have been convicted. From this fact stems the attitude of the liberal press toward Nixon. Watergate gave the media a perfect opportunity to destroy him, but the ruthlessness of the liberal assault on Nixon and his Administration can only be explained by the Hiss case, the key role Nixon played in it, and its significance to the liberal position. Nixon's own behavior during the whole miserable Watergate episode is no doubt also related to his psychological reaction to the constant, unremitting criticism, if not calumny, he has been subjected to by the press during the greater part of his public life.

A striking, but by no means isolated example of the state of mind which led to the "casual American acquiescence" in the decisions made at Yalta and Tehran is the book *Mission to Moscow* by the American Ambassador to Russia from 1937 to 1938, Joseph E. Davies, and par-

ticularly the uncritical acclaim with which it was received by the liberal press. (Before going any farther it might be worth mentioning that the *New York Times* greeted the Tehran Declaration with the assertion that it "laid the foundations for a new and better order in the world," and that *Time* magazine called the Yalta Agreement "a great achievement.") Davies arrived in Moscow early in 1937, at the time when the great purges were getting under way, which he attended as an observer. The following is from one of his reports to Washington on the trials, which is reprinted in the book: "On the face of the record in this case it would be difficult for me to conceive of any court, in any jurisdiction, doing other than adjudging the defendants guilty of violations of the law as set forth in the indictments and as defined in the statutes." He goes on to say: "The prosecutor [Vyshinsky] conducted the case calmly and generally with admirable restraint." George Kennan, who attended the trials as Ambassador Davies' interpreter, spoke of "Vyshinsky's thundering brutalities," but Davies saw him differently: "The Attorney General is a man of about 60 and is much like Homer Cummings [the American Attorney General at the time]; calm, dispassionate, intellectual, and able and wise. He conducted the treason trial in a manner that won my respect and admiration as a lawyer." One more quotation will probably suffice to give you a rather clear impression of the general tenor of *Mission to Moscow*: "Stalin is a simple man, everyone says, but a man of tremendous singleness of purpose and capacity for work. He holds the situation in hand. He is decent and clean-living...."

The book was bad enough, but Davies, after all, was an utterly superficial, ambitious man whose only claim to distinction was a very rich wife, and in his reports from Moscow and in his book he was only serving the purpose for which the President had sent him to Moscow. Much worse than the book was its uncritical, thoroughly irresponsible reception by the liberal claque. *Foreign Affairs* commended it as "...one of the best informed books to appear in recent years on Soviet Russia"; *Pacific Affairs* described it as "...a book of exceptional importance"; the *Saturday Review of Literature* as "...one of the most significant books of our time"; and Walter Duranty, who for many years had been the Moscow correspondent of the *New York Times*, proclaimed in the pages of the *New Republic*: "To me the charm of this book is first of all its acuteness. How well Davies understood, and how accurately he judged!" (How accurately Duranty was in the habit of judging may be surmised from the following, which was quoted in *Time*, February 15, 1943: "I see Mr. Stalin as the clear-minded statesman who looks at East and West—both ways at once.") Finally, it should be mentioned that *Mission to Moscow* was a selection of the Book-of-the-Month Club, which assured it wide circulation, and was made into a much publicized movie—it enjoyed, therefore, the complete, unequivocal support of the entire liberal apparatus.

The reasons for the seemingly irresistible attraction of Communism to the liberal intellectual have been discussed and thought about by many people—there is a most interesting and illuminating article on the subject, for example, in the November 1973 issue of *Encounter*, "The Ideological Pilgrims" by Paul Hollander. I will not try to add to this except to quote something from Whittaker Chambers, who, having experienced it himself, may have better understood the attraction of Communism than most of us. The following is from a letter to William F. Buckley, Jr. from Chambers, and is reprinted in the book *Odyssey of a Friend*: "It is a Western body of beliefs that now threatens the West from Russia. As a body of Western beliefs, secular and rationalistic, the intelligentsia of the West share it, and are therefore always committed to a secret emotional complicity with Communism, of which they dislike, not the Communism, but only what, by the chances of history, Russia has specifically added to it —slave labor camps, purges, MVD *et al.* And that, not because Western intellectuals find them unjustifiable, but because they are afraid of being caught in them. If



they could have Communism without the brutalities of ruling that the Russian experience bred, they have only marginal objections."

Chambers, I might add, was utterly pessimistic: when he left the Communist Party, he wrote in his book, *Witness*, he felt that he was leaving the winning side to go over to the losing side, and to the end of his life he saw no reason to change his mind. The uprisings in Berlin, Poland, and Hungary gave him hope, for a time, hope that "out of the struggle... the West may discover in itself or otherwise develop, forces that can justify its survival," but this was soon dissipated again by the unwillingness, or inability, of the Western nations to offer support to those willing to risk their lives in opposition. With all my great respect for Chambers, however, I do not share his extreme pessimism, although, I must say, there are certainly reasons enough for pessimism, more now, perhaps, than when Chambers was writing. By demonstrating that the media can destroy a President, Watergate has weakened the Presidency and thereby the legitimate authority of government; the Congress has demonstrated that it is unable or unwilling to face the political consequences of curbing either inflation or the bureaucracy. Most discouraging of all, perhaps, is the fact that communications are still largely controlled by the liberals, and that the liberals have learned nothing—to curb inflation, they tell us, nothing more is necessary than price and wage controls, they talk about detente with Russia as though nothing had happened during the past thirty years, and they still believe that all social problems, from crime in the streets to inadequate education, can be solved by the simple expedient of government programs, or, perhaps, "participatory democracy." Liberalism has become an ideology, and one of the characteristics of an ideology is that it is impervious to reason and experience.

Granting all this, there is still reason to look to the future with at least a modicum of hope and confidence. There are other expressions of opinion than those of liberalism, there are other writers and critics than those Kostelanetz includes in his New York "mob," and there are other magazines, expressing quite different points of view, than the eight which were correctly described as an "oligarchy of influence." There are also signs that within the New York intellectual community itself there are stirrings of originality, of dissent from the rigid control the New York literary establishment has exercised. The book by Kostelanetz itself is an indication of it, and the work of Irving Kristol, one of the most intelligent, clear-headed social critics we have, is another During the past several years, Kristol, in a series of brilliant essays, has subjected various aspects or consequences of the liberal dogma to hard, rational analysis—for example, equality, utopianism, the problems of democracy, pornography, and censorship—and a year or two ago, in a public lecture, identified himself as a "liberal conservative," which could mean about anything, of course, but was clearly intended to mean that he did not consider himself a liberal. His essay "About Equality," which appeared in the November 1972 issue of *Commentary*, ends with the sentence, which only a mature, wise man could have written: "It is not too much to say that it is the death of God, not the emergence of any new social or economic trends, that haunts bourgeois society. And *this* problem is far beyond the competence of politics to cope with."

Perhaps the greatest reason for hope is the fact that the older generations go their way and a new generation takes their place. Whatever the ideologues may say, they have made it clear by their acts that man is a flawed creature, that governments are not to be trusted, that politics cannot provide the final answer, that absolute power does corrupt absolutely The new generation has evidence enough of all this, and, we may hope, is beginning to comprehend it. It will also come to understand, we may hope, that with all his faults, man was created by God in His own image, that he is capable of much, including the creation of beauty, and that life is still a great challenge and full of possibilities. □

Paul Seabury

Autosclerosis, Berkeley Style

"Every body continues in its state of rest, or of uniform motion in a right line, unless it is compelled to change that state by forces impressed upon it."

—Sir Isaac Newton
Philosophiae Naturalis Principia Mathematica (1687)

Newton was not quite right, at least in the case of *choosing* creatures, like man. Man may be compelled to change from rest to motion, motion to rest, or to change course and direction. But he also can voluntarily decide about the matter. Thus freedom and necessity both exist.

Generally speaking, both before and after the invention of the automobile, one principle of American public policy has been that freedom should prevail over constraint with respect to the voluntary movement of persons. Noticing this restless American mobility a century and a half ago, Tocqueville was moved to write: "No event can be compared with this continuous removal of the human race, except those irruptions which preceded the fall of the Roman Empire." This vitality, akin to the springtime wakening of nature, led Christopher Morley once to write jovially, "April prepares her green traffic light, and the world thinks Go."

To be more particular, the chief object of transportation policy has been to ease the orderly and efficient movement of many persons from many starting points to many destinations, and among all the means contrived to accomplish this the automobile has proved to be king. Better than its many predecessors—the horse, chariot, carriage, landau, and even sedan chair—the car has had the merit of being able to transfer a person swiftly from one particular place to another particular place. Home to office, office to home, home to market, work to recreation, pleasure to pleasure—none of these transfers can be accomplished as well by any known form of public transportation. Trains, subways, and buses necessarily serve the aggregate wishes of multitudes; each proceeds from one public starting point, through prescribed routes, to one public destination. But the automobile, substituting swift wheels for the laggard feet of individuals, enables them to choose both an ultimate private destination and a route to it. It is the quintessence of free choice. Not unnaturally, humanity takes to it like fish to water.

Of course (following Newton), nothing in the laws of nature says that such automobility must persist indefinitely. There is, for instance, another side of human nature which prefers repose to movement, and yet another, sober, side—to be seen in the activities of public authorities who specialize in regulating such movement. Again to quote the Master, movement may be slowed, diverted, or halted by "forces impressed upon it."

I.

Euphemisms cosmeticize unpleasantries, so it is not surprising that the Berkeley (California) City Council, in recently decreeing a widespread blockage of streets to vehicular traffic, described its goal as being to "create a less inviting atmosphere for car usage." It is a landmark case, which city managers across the country may take to be a new vein of rich ore for urban planning. If, as Herodotus said, war is the father of all things, Berkeley recently has been the mother of many: school busing; free speech movements and student rebellions; the American counterculture; and so on. These phenomena first surfaced here in the 1960s before spreading elsewhere. Now comes autosclerosis, otherwise to be known as hardening of the arterials. It is the Car War, and has been commenced by a strange alliance of radicals and householders. It marks a change from radical struggles of the past decade in this community. In the 1960s, much attention was paid by radicals to the task of unofficially erecting barricades; now, to erecting them officially.

It was to be anticipated, at a time when most American institutions are under attack by their clients, that a time would come for a serious challenge to the automobile. Nader's original skirmish had not been against the principle, but rather the workmanship, of it, although some of his contumely doubtless had underlying tones of generalized hostility. But cries against the automobile have been mounting; now it is a commodity of considerable disputed merits: the chief source of pollution; slayer of persons, cats, dogs, and endangered species; enemy of the halt and blind; noisy disturber of repose; invidious status symbol;* and, finally, insatiable consumer of scarce energy resources. As the *Daily Californian* (University of California student newspaper) recently summarized it in an editorial entitled "Divert, Subvert, Destroy": "We would rather live in a clean, gentle city where people could go slow when they wanted, take it easy; then [*sic*] live in a modified parking lot surrounded by automobilia—no matter how convenient escape was." Thus the postindustrial *Zeitgeist* begins its assault on the most American of industries and contrivances.

*John Kenneth Galbraith, a longtime enemy of Babbittry, was an early anti-car man, as can be seen in his early (1958) mockery of it as a philistine's delight: "The family which takes its mauve and cerise air-conditioned, power-steered, and power-braked automobile out for a tour, passes through cities that are badly paved, made hideous by litter, blighted buildings, billboards, and posts for wires that long since should have been put underground." (*The Affluent Society*, ch. 18.)

II.

In the age of the automobile there have been two discernible classes of persons at odds with each other—Pedestrians and Motorists. There also is a third class—the Residents, those in repose at home. How that apparently neutral category relates to the first two has become a very interesting question. In one sense, Residents and Pedestrians are natural enemies of the Motorist—the former because Motorists driving on *their* street disturb their tranquility, endanger their children and domesticated animals, and pollute the air. Pedestrians, direct competitors to the car, may be hit, in unequal meeting of steel and flesh, or exist in a state of nervous wariness and alarm.

Yet there is an odd aspect to human existence, in which the simultaneous coincidence of opposites occurs. Is it not possible to be all three—Motorist, Pedestrian, and Resident—rolled into one? A Motorist could not be such were he unable also to be a Pedestrian; he at least must walk to his car in order to drive it. Not all Pedestrians are Motorists, but all Motorists must be Pedestrians. Moreover, most Residents from time to time are transubstantiated into Motorists and Pedestrians. So the case of interest conflict is complicated indeed. But let us now turn to the particulars of the affair.

III.

The strategy of the Berkeley plan is to force auto traffic from nonarterial streets, compressing it into a few designated arterials. In this way, driving is supposed to become more arduous and annoying, a chore less likely to be undertaken. This strategy, in the view of some of its proponents, is said to be unpleasant. Ying Lee Kelley, a feminist-activist Council member, said recently: "Until we as a city and as a nation find an alternative to the automobile, we're going to have to make some nasty decisions." And, as the Berkeley city traffic engineer adds, "People may think more and drive less. The trip you might make after dinner will be combined with the trip home because you won't want to get into the car again."

To effect these plans, barricades have been erected at strategic exit or entry points of nonarterials, so that, while neighborhood residents may enter at one end, as one would enter one's own driveway, through-motorists are effectively

barred. Many miles of pavement are no longer streets; the traffic no longer flows through them. They are Dead Ends.

The barricades do not have an ominous aspect. The architecture editor of the *Los Angeles Times*, casting a shadow of Things to Come on his city's automobile-prone population, has praised their beauty. They are not unattractive (those, that is, which have so far escaped vandals, graffiti artists, and automobile crashes which break them up); the most effective of them consist of three spaced concrete conic vessels (bollards), each filled with sand, in shape resembling NASA re-entry vehicles. These are laced together gracefully by attractive redwood planks; they stretch across the intersections. Some neighborhood associations have hung fetching little boxes of geraniums on them. On one side of each there is peace; on the other, the traffic beats its way by. There are hundreds of these, scattered along the city's main arterials and elsewhere in surprising patterns of impediments.

But this is not all. There are also other means by which Berkeley creates a "less inviting atmosphere for car usage." Vast numbers of STOP signs have recently been erected, with the effect that cars often may proceed only a block at a time without coming to a halt. There are more traffic signals, YIELD signs, turn prohibitions, DO NOT ENTER signs, chokers, traffic circles and triangles, diverters and semi-diverters, and so on. The campaign is waged in less conspicuous ways as well; for example, Berkeley officials have recently reduced the number of permits issued for new parking lot construction, and have sought to impose prohibitively expensive street parking charges. The University, whose faculty and employees include the majority of the city's daily inbound commuter traffic, is under pressure to diminish its own parking facilities. Other proposals abound; one Berkeley transportation expert is now advancing a proposal either to ban single-occupancy automobiles from the streets entirely or to impose heavy taxes upon them. (In his view, electric golf carts are the obvious answer to the city's needs, as are elephant trains, bicycles, and so forth.) Yet the city has no feasible plan to replace the car with compensatory public transportation facilities, nor could it afford to do this in any event: Choked with high costs of social services, the city already has the highest tax rate of any municipality in the state. So, with traffic essentially undiminished, Berkeley has become an automotive Chinese-puzzle maze.

Traffic engineers long have known that, within any flow system, if the same volume is maintained and the conduits are reduced in number and capacity, congestion will inevitably increase. Clever motorists know how to maximize their advantage at rush hours; many of them choose less-congested thoroughfares or by-ways, to save both time and gas. In a general sense, from a "flow-pattern" perspective, such individual decisions alleviate the general congestion, and "everyone" benefits. Everyone? Here we must return to the strange *mariage de convenance* of visionaries and quiet householders which comprises the constituency of the Plan: Residents, although they may not dislike Cars in General, *do not like cars which drive by their own homes.*

Economists use the expression "beggar thy neighbor" to explain why nations, by means of import quotas, currency devaluation, and the like, often try to export their economic woes to others. The phrase is appropriate for the game being played on the streets of Berkeley, for the closure of one "neighborhood" street diverts traffic to another; the benefit to one privileged group is the disadvantage to another. Needless to say, the clamor for shared privilege mounts.

And what a privilege it is! What homedweller would not cherish the thought that some day the busy traffic's rush by his own house would cease and his street

become a quiet backwater, an elongated skateboard track, a capacious parking lot, a macadamized playground, a spacious *park* where, perhaps on Sunday afternoons, neighborhood block parties could occur! In happy protected neighborhood driveways, on warm days, dogs now safely snooze where once their natural enemy, the Motorist, held sovereign sway. Who would not pay a little more for the privilege of such protected real estate? Who would not want to belong to such a club?

Move but a block away. Here, diverted, clogged, frustrated but undaunted, the aggrieved Traffic inches and honks along, past less fortunate residences, emitting its noise and toxic fumes, scattering dogs and cats, and annoying other Residents. Here indeed is further cause for discontent, and for another neighborhood association to rise up in search of similar privilege, including its own set of barricades.

There is an interesting democratic dynamic in these processes, by which questionable privilege, when not abolished, tends to be universalized. In a city such as this, which prizes participation highly, the prospect of personal residential gain seems now to outweigh other considerations; the Resident embraces the anti-automobile ideology, and shifts the distress of traffic to other, less fortunate, streets. It is not accidental (as Soviet pamphleteers are fond of saying) that the first such preferred enclave was created more than a decade ago, to benefit one of Berkeley's wealthiest residential sections and to establish its tranquility.

The game has become increasingly intricate as the number of participants has enlarged. At the beginning some perhaps believed that the matter of "discouraging" the automobile could be expeditiously planned and carried out by professional traffic specialists. But such was not to be the case. Democracy requires hearings, and hearings invite popular pressure. Most of this has come from neighborhood groups demanding access to the benefits. At a Planning Commission meeting (one of hundreds recently held) the following (and typical) *cahier* was advanced by a concerned citizen:

"Joel Rubenzahl, 2023 Carleton, and a member of Savo Island Project Area Committee felt downtown traffic uses Milvia to avoid Shattuck stops; the problem is not solved by a diverter at Milvia/Parker, but should be moved one block north to Blake which is more industrial in character, or divert traffic downtown. Suggested a semi-diverter at Dwight/Milvia blocking it from downtown traffic but not blocking it from the traffic from the other way. Does not want to allow cars to enter Milvia or Russell at Adeline; should block Russell so cars cannot enter; suggested a stop sign at Derby/Ward to slow down traffic, and a light at Russell/Grove which is in agreement with the proposal He recognized parking problems in the area surrounding the University Receiving Station, Early Learning Center, and Adult School resulting in no parking places on Carleton/Derby and Ward/Stuart; felt cars should be ticketed with intensified parking on Carleton on the south side; i.e., diagonal instead of parallel. They should allow parking on Derby but no parking on Ward; recommended closure of Otis/Newberry at Ashby with full blockades."

And so the idiosyncratic wishes of amateur traffic planners multiply and churn on.

IV.

Must responsive government mean more government, less authority, and more discontent? Policies such as these, initiated in order to grant the citizenry more repose, have simply spread discontent more widely—not only among Motorists but others as well. It might be hoped that peace would come when the last harassed driver threw up his hands and resorted to other, if less easy, means of getting to and fro. What these would be, and who would pay for them, is now regarded by some as a problem. One can imagine an urban paradise, in which Disneyland elephant trains would gracefully glide through the streets of Munchkintown, in a quiet flow of golfcarts, bicycles, wheelchairs, and pedestrians. But no one has yet found the Yellow Brick Road to get there, nor what the cost of such a trip would be. Now, in the real and visible world, the painful side effects of the experiment are all too apparent.

In a barricaded city, it is not only the garden variety Motorist who experiences difficulties; it is also the essential civic services. These include cumbersome fire

engines which, unable to penetrate or circumvent such obstacles, cannot easily or quickly reach their flaming destinations; similarly, police cars, ambulances, and doctors on emergency trips. Some barricade apologists now argue that emergency vehicles could be equipped with special cutting devices—electric saws or clippers, for instance—which could sever the boards or chains which link the cones. It has also been argued that—with respect to their apprehension—criminals will have as much difficulty escaping the police as the police will have in catching them!

Some also have argued that Berkeley should be "redesigned for people who need to survive"; that "people have priority over cars"; once again the question is not only *which* people but which part of people's needs is being assuaged. Whose safety, whose pleasure, and whose ease are served by eliminating the automobile or by aggravating drivers, is at best a very difficult matter to calculate with exactitude. As one beneficiary of barricades writes, "We encourage the commission to see that Alta Bates Hospital chains its parking lot to prevent people from taking short cuts down Prince and Colby to get to the hospital." But then, a victim writes, "The situation around Alta Bates is well known to me. My wife is being cared for at the Convalescent Hospital across from Alta Bates. I have been going up there every day for some time. Each day I hope I can make it in and out of there safely." A third commentator predicts, "Within a year or two, [the barriers] will simply be accepted as a fact of life... and people will have changed some of their traffic habits." If so, people by then will have become accustomed to a city decomposed into clusters of hemmed-in hamlets.

How does one measure inconvenience? As my colleague Aaron Wildavsky puts it, "aggravation is non-quantifiable." But if the redistribution of pleasure and pain is a game which government plays, it would seem to be an endless one, and as this vignette shows, quite costly. Whether this sketch in itself sheds light on the current civic plight of America may be questioned, but it does open the question of whether the Berkeley plan deserves nationwide imitation. Here, the autos stubbornly flow on, in, and out, in undiminished quantity; motorists, doctors, firefighters, policemen, are aggrieved; residents in unfavored areas are outraged; the planners are frustrated and attacked as charlatans; utopians are disillusioned; the taxpayers, who pay for this in real money, are vexed; businesses suffer; and obstinacy reigns in government. Perhaps the only visible benefit of it all can be seen in the strange ways in which the issue has realigned a divided community; the old harsh lines between radicals and conservatives have been strongly affected as the conflict has been redefined. Conflict, as Simmel pointed out, is sociative; and so, we all make new friends and adversaries. □

Benjamin Stein

Slipping and Sliding Away

Beginnings and endings are hard to locate with precision. That difficulty is compounded when dealing with something as amorphous as what is laughingly called "The Counterculture." But I am able at least to point out some of the signs that showed me near where it started and where it seemed to have reached the end.

In the spring of 1973, between stints as a trial lawyer for a large and ineffectual federal agency, I was a teacher at the University of California at Santa Cruz. That particular campus may just be the most beautiful academic setting ever struck off by the combined work of God and man. It lies on the slopes of majestic mountains overlooking the Pacific Ocean and the Bay of Monterey, about eighty miles south of San Francisco. Huge groves of redwood give the air a scent which perfumers would give their Louis Vuitton handbags to capture and sell at Bloomingdale's.

At the time I was teaching there, Santa Cruz was the most selective of all the University of California campuses. For its fodder, the campus drew bright kids from all over the state and even a few from outside the state. The campus drew different stripes of kids, more or less frivolous, more or less conventional and otherworldly. The most far out, disorganized, hippiesque students generally found themselves at College V of the University campus, which at the time was divided into eight colleges. I taught and lived at College V.

The first inkling I got that something different from my normal way of life was going on came even before all the students arrived. There was a dense pall of marijuana smoke which hung over the hallways of the dormitory starting early in the evening. When I traced it to its source, there were a group of boys and girls of varying ages, sprawled in a dormitory room. Practically everybody in college smokes dope, so that wasn't the unusual part. The unusual part was the incredible friendliness and warmth with which the students greeted me and made me a part of their smoking circle. Coming from the grim corridors of the bureaucracy, and before that, the even grimmer corridors of Yale and Columbia, I was shocked and delighted. This was just the first of many examples of really extraordinary friendliness and openness shown to me, by groups and individuals, at Santa Cruz.

As the school year wore on, there were more abrasive episodes, but the fundamental mood of the place remained wildly more joyful and relaxed than anywhere else I had ever known.

Like other cultures, the counterculture at Santa Cruz had its insiders and outsiders. When some of the local politicos learned that I wasn't kidding when I said I liked Nixon, their friendliness waned. Some even became downright hostile. But their hostility was out front, as we used to say, and it had a delightful similarity to a small child's pique. You knew that it would pass.

However, the high water mark of my excursus into the counterculture did not come until I had been at the campus for about six months. Teaching there, like all good things, had to come to an end, and so I gave my resignation, and started packing to return to musty Washington.

About a week before I was slated to fly back to the corridors of impotence, I was invited to a slip'n'slide. This event, which I will describe directly, was a regular yearly amusement at College V, and this one was apparently being held at that particular time to honor my departure.

The corridors in the College V dormitory were about four feet wide, perhaps five feet. The entrepreneur of College V amusements, 18-year-old Larry Wilson, had obtained long plastic sheeting and lined the floor and walls of the hallway on one floor to form an artificial creekbed. The creekbed was then filled to a depth of several inches with a mixture of warm water and K-Y Jelly. It was extremely slippery.

About forty students, twenty boys and twenty girls, plus one superannuated teacher, were led into the slip'n'slide area, where clothes were removed and people started slipping and sliding around on each other. Everybody was fairly drugged, and the atmosphere was extremely sensuous. There was no wild clutching of genitalia. Instead, their idea was to recreate innocence and childishness and a world without "inhibitions and hangups." Apparently no one went berserk from the strain or excitement of it all, and the people involved were all able to look each other in the eye the next day. One student wrote a paper about it and received college credit for it. →

Those were the glory days of the counterculture. Recently, alas, after much wandering from place to place, I found myself back with several of the old gang from College V on a vacation in Los Angeles. Larry Wilson, still an impresario, was organizing a Halloween party that was supposed to feature a round of totally nude swimming and then a slip'n'-slide.

I went to the party, which, absolutely perfectly, was held at the home of a Beverly Hills psychiatrist. He and his wife wore little name plates identifying them as the parents of the college-age boys who were the hosts. The parents soon demurely went to their rooms, and... and... and... not much happened. A few girls and boys went into the Jacuzzi without any clothes; a few more went swimming nude. One couple seemed to be actually coupling under a blanket in the slip'n'-slide room.

But most of the guests, still in their teens, awkwardly stood around looking out the windows at the few nude swimmers. There were several narcissistic teenage homosexuals petting in one room and others sulking in another room. No one was smoking dope. There were no Quaaludes, no acid, no cocaine. (Cocaine, the snow of yesteryear.)

Even when Larry Wilson went nude from room to room to rouse the troops, they could not be roused. The party was over.

Later on that night, a student who was down for the weekend from College V said that now people are studying hard to get into med school and law school.

What does all of this mean? For one brief shining moment, sheltered from the trials of real life, I encountered a flowering of the counterculture. It was not a dynamo of creativity like the Florentine Renaissance, yet there was something lovely about the friendliness and openness of the people who were part of the movement. An almost undreamt-of license and lack of restraint did not produce any wounds that I saw. I suppose that I have never seen happier people than Larry Wilson and his merry band of boys and girls.

I do not know why that is all gone now, if it is all gone. I do know that what I see of its replacement, the downer generation, detached and belonging to no culture, or counterculture, seems to me no better. In that hothouse at Santa Cruz, some beautiful things were growing and I think they're dead now, and it's a shame. □

James Langenfeld

The New Wave of Regulation: An Appraisal

In the last twelve years a new kind of regulatory agency has invaded the marketplace. Previously, agencies had been set up to regulate, and sometimes to promote, particular industries. The Interstate Commerce Commission (ICC) was to focus solely on ground transportation, the Civil Aeronautics Board on the airline industry, the Federal Power Commission on utilities, and so on. Regulatory agencies, as traditionally conceived, were also to ensure that industries under their purview offered a "fair" price for their products or services. Thus, one of the ostensible duties of the ICC, when founded in 1887, was to moderate windfall monopoly profits of the railroad industry. As it turned out, the "fair" price in a regulated market was often higher than would have been the case if the forces of competition and innovation had not been restrained. Nevertheless, the regulatory agencies were clearly interested in questions of cost as well as the quality of services.

The regulatory agencies which have been created since 1964 are different. Their purview is not the market operations of one industry but some particular aspect of production or sales which cuts across all industries. Thus the Occupational Safety and Health Administration (OSHA) is intended "...to assure so far as possible every working man and woman in the Nation safe and healthful working conditions and to preserve our human resources." The Consumer Product Safety Commission (CPSC) concerns itself with potential safety hazards associated with all products sold to consumers. The Environmental Protection Agency (EPA) regulates the effluence of every company and every individual, while the Equal Employment Opportunity Commission seeks to eradicate discrimination in hiring. The market price of goods and services is at best a secondary concern of these agencies, and often the impacts on cost are neglected completely. However, the actions of the new agencies have tremendous influence on manufacturing costs and market structure, invariably affecting the prices of final products. The "old" regulators may have their own defects, but they at least recognize that the price consumers pay is central to any regulatory process.

Why Regulation?

Few economists would argue against the necessity of government intervention in some aspects of a capitalist economy. It is generally agreed, for example, that government ought to provide (directly or indirectly) for fire and police protection and for defense—primarily to ensure that everyone who enjoys the benefits of such services pays his proper share of the costs (the so-called "free rider" problem). There are also times when government is justified in stepping in to deal with the external costs of production.

Let us suppose, for instance, that a baby food manufacturer is pouring solid waste into a river. This waste is an external cost of producing baby food, in that it is borne by the community rather than by the manufacturer and his customers, and government may be justified in intervening to limit pollution in accordance with community preferences, because the manufacturer has little incentive to minimize this cost. Bear in mind that there is a real cost whether or not government intervenes. People pay either by suffering from the sewage (a nonmonetary cost), by paying taxes to have the government clean up the river, or by requiring the polluter to dispose of the effluence in a sanitary way. If the firm is held liable for the pollution, it will either pass on that cost through higher prices or simply shut down. No matter how the law is drawn, someone pays. The question is not whether people are for or against sewage, but rather how do we allocate the costs of pollution? How much are we willing to pay for clean water? People may prefer some amount of pollution in the river to higher taxes or more expensive baby food. When the EPA promulgates a standard it does not eliminate the problem of pollution, it merely changes how society pays for it. Ideally, it should choose the method of dealing with these costs which most efficiently reflects people's preferences.

Analogous are work and product safety regulations. Society may receive substantial benefits from a clean environment and from safe working conditions and products. But either consumers or taxpayers must pay for any benefits that may be achieved. The new regulatory agencies are considered by Congress as an attractive alternative to government spending, but their costs show up in higher prices and a more limited selection of products for the consumer. If consumers realized this, perhaps more government regulation would not be as attractive to Congress.

The prospect of potential benefits from these agencies is not sufficient reason for their activities. Friedrich A. Hayek observed in *The Constitution of Liberty* that "...a free market system does not exclude on principle... all regulations

governing the techniques of production... They will normally raise the cost of production, or what amounts to the same thing, reduce overall productivity. But if this effect on cost is fully taken into account and it is still thought worthwhile to incur the cost to achieve a given end, there is little more to be said about it." The important question is whether the new regulatory agencies are justified in terms of the costs they generate.

Regulatory Overhead

It is difficult to compare the costs and benefits of the new regulatory agencies, because the agencies are young and data are therefore scarce. An excellent start has been made, however, by Prof. Murray L. Weidenbaum, director of the Center for the Study of American Business at Washington University in St. Louis, in his book *Government-Mandated Price Increases* (American Enterprise Institute, 1975). By examining case studies of how prices, consumer choice, and income distribution are affected by OSHA, CPSC, EPA, et al., Weidenbaum offers some first approximations of the efficiency and costs of (as he calls them) the "new wave" of government regulators.

The first question Weidenbaum addresses is the overhead cost of these agencies. According to his calculations federal spending for the various business inspection and other activities of the new agencies rose from $1.3 billion in fiscal year 1972 to an estimated $2.2 billion in fiscal year 1975, and continues to grow rapidly. The overhead expenses of regulation are not limited to the agencies themselves, however, for private industry must comply with its reporting requirements. There is an old saying that a railroad must keep three complete sets of books—one for the IRS, one for the ICC, and one to run the business—and the proliferation of regulatory agencies has enormously increased the paperwork which businesses must produce for their bureaucratic overseers. Robert H. Marik of the U.S. Office of Management and Budget testified before Congress that business' reporting burden increased by 13.5 million man-hours, or about fifty percent, from December 1967 to June 1974; of this increase, 4.6 million man-hours were devoted to OSHA paperwork alone. Businesses and eventually consumers pay for this red tape. Few of these forms actually contribute to making the workplace safer.

I might add that the cost of much of this paperwork is regressive in the sense that both large and small companies are frequently required to file the same forms. A firm employing one hundred people has the same OSHA reporting requirements as General Motors, without being able to afford the large staff to handle reports. One effect of the increased paperwork is to favor big business, which can spread the increase over greater output. This is one more strike against the small businessman and competition.

The overhead costs of regulation, as Weidenbaum points out, are "only the tip of the iceberg. The major costs resulting from the operations of the growing force of federal inspectors and regulators show up in the added expenses of business firms which must comply with their directives. A substantial 'inflationary multiplier' must be applied to the direct outlays for federal controls." If the government does not pay for the benefits these agencies supposedly produce, then businesses, and eventually consumers, will. The expenditures of these agencies by themselves do not prevent pollution or bring about product safety. The bureaucracy only ensures that the private

sector follows the law, making workplaces safer or employing the proper amount of minorities, etc. The actual work and its cost rest with private industry.

One example where the dollar cost of regulation has been estimated with some precision is in the achievement of noise level maximums dictated by OSHA. OSHA has recently imposed a maximum noise level of 90A scale decibels for working places, and last summer it held hearings to consider lowering this standard to 85dbA; according to a study by the agency, it will cost industry about $13.5 billion to comply with the 90dbA maximum and would cost about $31.6 billion with the lower level. The cost of this single regulation must, for the most part, be passed on either in the form of higher prices or in lower wages to labor. Relating this particular standard to the general case, Weidenbaum points out: "In evaluating the merits of such an investment, an economist is concerned not only with the magnitude of the resources involved, but also the alternative uses to which those resources could be put (the 'opportunity cost'). As Paul McCracken has stated the matter: 'resources used in one direction are then not available to be used elsewhere. Whether they should be so used, therefore depends not only on whether the intended use is "good," but on whether it is better than the uses to which the resources would otherwise be put.' " The most obvious opportunity cost of this OSHA regulation is that money used to lower noise in industry could be spent on medical research designed to prevent hearing loss.

The real costs of CPSC product safety regulations show up in several ways. First, there are additional costs of design and production changes made to meet CPSC specifications. Second, the cost of product recalls can be devastating, and indeed must be passed on in the form of higher prices if the company is to remain solvent. The third, and perhaps most significant, cost is the diminished selection of products on the market. As Weidenbaum suggests, "...a power tool selling for $20 may not have the capability of being used for more than an hour, while the $500 tool may safely be used for a much longer period. Even though the instructions on the tools are very clear in this respect, some customers may willingly buy the cheaper model and knowingly take the chance of burning it out. A policy of complete product safety would ban the cheaper model, thereby effectively depriving the low-income consumer of buying a power tool at all. Similarly, we could decrease the risk of injury from kitchen knives by making them less sharp, but that would reduce their ease of operation and usefulness." The decrease in consumer choice is as real a cost to society as are dangerous products.

Assuming current regulations are effectively enforced, we are still faced with one additional "real cost" to society. Enforcing a rigid set of standards discourages innovation and may work against the goals for which the agency was created. Two examples immediately come to mind. Professor Sam Peltzman of the University of Chicago has estimated that the 1962 amendments to the Food, Drug and Cosmetics Act—which require elaborate testing before new drugs are marketed—are delaying the introduction of new drugs by four years, as well as leading to higher drug prices. The harm of keeping effective new drugs off the market may exceed the harm of allowing ineffective drugs to be sold for a period of time; it also discourages the search for better drugs.

The second example is the method OSHA uses to make workplaces safer. OSHA's regulations tell a manufacturer exactly how he should set up his plant, without regard to its actual safety record. There is no incentive for the firm to find safer methods of production. OSHA's regulations not only discourage technically safer innovations, but may actually forbid them!

The Cumulative Effects of Regulation

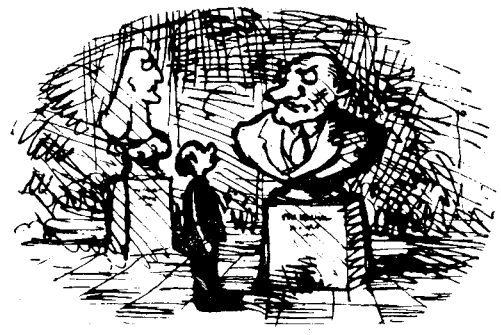
On a national scale, it is currently impossible to estimate the cumulative effects of the overhead and full costs of regulation. It is much more difficult to estimate their benefits, so this essay has only attempted to point up the hidden costs of regulation. Can regulation costs be summed? Putting a price on limiting consumer choice is as difficult as valuing the benefit of saving a human life. Professor Weidenbaum has calculated the sum of the quantifiable costs of government regulation on automobiles. According to data supplied by the Bureau of Labor Statistics, federal requirements from

1968 to 1974 added an average of $320 to the retail price of each passenger car. With new car purchases totaling nine million in 1974, American motorists paid $3 billion extra for governmentally-imposed standards, not including the extra fuel costs related to these changes. Adding the cost of catalytic converters required in 1975 could raise these estimates by fifty percent. Cars with mandated safety and environmental features cost substantially more to produce—a cost which the consumer pays whether he wishes to or not.

The automobile example brings together many of the questions raised by the new form of government regulation. Are government regulations the most effective way to solve society's problems? What are the opportunity costs of such regulation? Perhaps the portion of the $3 billion spent on safety devices for every car, such as impact-absorbing bumpers, could have been better spent on reducing road hazards or getting drunken drivers off the road. What are the effects of the new regulators on income distribution in the U.S.? Government regulations have raised the prices of used cars proportionally higher than new ones. People with lower incomes tend to purchase used cars, so the effect of these government regulations has been to hurt the poor more than they hurt the rich.

What is the most efficient and equitable way to cure the ills of society? The approach of the new regulators does not appear to be the solution, but what are our alternatives? In the area of product safety, perhaps the government or private industry should concentrate on informing the public of the hazards associated with a product, rather than flatly banning it. In the areas of workplace safety and pollution, tax incentives based on the safety or the effluence levels of individual firms may better achieve the goals of OSHA and EPA. Nevertheless, if the most efficient and equitable ways to achieve the goals of the new regulators are found and adopted, there still will be a real cost to society. This cost will show up in the form of higher taxes or higher prices for everyone, i.e., *Government-Mandated Price Increases.* □

Eminentoes



by Joseph P. Duggan

The Tortured Genius of Howard Cosell

I would be squandering my ink and your time were I to attempt the introduction of a man who is, by his own humble admission, the "third-best-known man in the United States." But Howard Cosell has not attained his fame through the sweaty self-promotion characteristic of ham-fisted politicians, nor the red-eyed ranting of tent-show evangelists, nor the exhibitionism that inspires the Golden State's would-be assassins. Howard Cosell has risen to his lofty eminence by dutifully responding to God's latest blessing to mankind: the Cosell conscience. In responding to its stentorian messages, Howard has become the moral monitor of the sporting community, the Jean-Paul Sartre of organized athletics. He is an American marvel. He serves no master other than the truth.

Until 1956, Howard Cosell was a successful Wall Street shyster, but then he felt a mysterious breath at his neck. A voice kept urging him, "Tell it like it is, Howie!" Cosell forsook his legal practice and appeared with hat in hand at the American Broadcasting Company. He had answered The Call. Henceforth the full force of his rather repugnant voice would be devoted to rasping the truth about sports.

Cosell is a sensitive man, nay a sort of tortured genius. He is often misunderstood, even when comprehensible. An examination of Cosell's public utterances poses the intelligent reader with some difficulty in interpretation, but rewards the assiduous with sheer joy.

The fundamental truth about sports, Cosell informs us, is that it is not to be taken too seriously. "Sports is the toy department of life," he observes. "It's not the separation of the lunar module from the capsule. It's not a coronation." Nonetheless, even Toyland becomes a grim place for Cosell's panting conscience.

Consider the case of Wellington Mara. Mara, the owner of the New York Giants, actually seems to be in business for the money. Fearing that he might lose money if his team continued to play in the deteriorating environs of Yankee Stadium, he is moving the ballclub to a new facility in New Jersey.

Such crassitude in a medium that should be purely for entertainment is more than Cosell's aesthetic and moral sensibilities can bear. Cosell can neither contain his fury nor inhibit his comments within the strait jacket of rationality. His unease takes on paranoid proportions when he refuses to rule out the possibility that Mara has thrown in with the Pope. In the first volume of his autobiography, imaginatively entitled *Cosell*, the author asseverates that Mara "cloaks himself in the piety of Saint Patrick's and behaves as if his ownership derives from the Vatican. He is so sincere in doing this that his defiance of the public interest assumes a holy aura. And make no mistake about it, his forthcoming evacuation from New York City in favor of the swamplands of East Rutherford, New Jersey, is a defiance of the public interest. More than that, it symbolizes the cheap expediency of many owners in professional sports and emphasizes the hollow hypocrisy of many sports operators as they continue to propagate the idea... that sport is a world separate and apart from real life, a Camelot where everyone is concerned only about serving the public"—lovely prose, pregnant with ponderosities.

Thus scolded, poor Wellington Mara must live with his shame. And gallant Howard strikes another blow for the public interest, though leaving his public in some confusion as to his understanding of those battered terms, "sports," "the public interest," and "real life."

Wellington Mara is not the sports world's only threat to virtue. Cosell believes that the press on the whole is dishonest about sports. Calling the industry "corrupt from top to bottom," he told an audience at a convention of the Associated Press Managing Editors Association, "You're out of touch with reality. It's time you tell it like it is." (The latter term tends to ring through the Gospel according to Howard much likes Amens or Hallelujahs ring through cow town revivals.)

Club owners use their power to intimidate the media and thwart the truth, laments Cosell. "How can there be truth when the owners hire announcers to do the games for the people back home?" By contrast, Cosell maintains that his own integrity is preserved because he is employed by the American Broadcasting Company—not by any ballclub owner. But if another assertion by Cosell is to be believed, the ballclubs are in no position to coerce the networks. "Television," Cosell contends, "is the economic under

pinning of baseball." Cosell's syllogistic somersaults are reminiscent of Hegel, the week he experimented with LSD.

Excess wealth figures as another *radix malorum* in Cosell's casuistry. "I find it a heinous thing," he says, "that athletes could go without rudimentary training from the gridiron into an industry and at once make seventy-five to a hundred thousand dollars a year. I don't know of any other avenue of endeavor where that's possible. I don't blame the men for taking the jobs and making the money; I blame the industry."

Cosell knows whereof he speaks. He has personally experienced the trauma of television's insensitive overspending. "It's frightening," he told a reporter. "Ridiculous. Crazy. I'm not going to talk money to you. That's a matter of privacy. [*Why?*] But if you knew the amount that I'm going to make out here Super Bowl week, just for three appearances—well, it's wrong. Nobody's worth it. It's sickening. I don't understand this phenomenon. It's obscene almost." (It is estimated that Cosell's employers impose on him an income of $300,000 to $400,000 annually.)

Cosell looks upon himself as the pastime's suffering servant. Through the years he recalls the many temptations toward other endeavors for a man of his expansive mental capacity. "I don't feel," he told a writer for the American Medical Association's magazine, *Today's Health*, "that any man of intellect, concerned about society—its sociology, its economics, its politics, its law, its war, his children, his wife—can really be absorbed in what happens on a gridiron or a diamond or a basketball court and take it that seriously. But"—he added with resignation—"it's been my lot to be cast in sports." Not to say that Cosell has labored under this yoke without fervor. He summarizes his achievements, eschewing both modesty and vulgar coherence: "If ever there has been a trailblazer, if ever a broadcaster sought to bring sports out of the juvenile, the banal—this, you see, is my mission."

To hear Cosell tell it, athletes are moved by his presence to bare their souls. He fancies himself as the *fons et origo* of a sportsman's solace, a kind of a spiritual comfort-station. Cosell the interviewer would have us believe that he has heard more confessions than the *Curé d'Ars*. "Look at Mantle!" he exclaimed to *Sports Illustrated* writer Myron Cope. "He did a half-hour show with me, and he felt like he had had a cathartic. He felt *cleansed*. Joe Namath! The kid poured out his heart to me. Colonel Red Blaik, who was supposed to be a martinet, an icicle, opened up like a sieve."

For all his high-minded raillery against the "enemies of truth" in sports coverage, Cosell is obviously confused as to his criteria for "truth" in sports reporting. He says on one occasion that organized athletics is mere amusement, and on another that it is "real life." He invents an undefined, metaphysical "truth about sports" to which he insists his colleagues must conform or else renounce their claim to honesty in reporting. Surely Cosell doesn't equate a straightforward effort to describe with accuracy the events of a contest as the "truth about sports"; his own telecasts on *Monday Night Football* offer nothing of that sort, but instead offer an unpalatable blend of buffoonery, second-guessing, and secular sermonizing.

What kind of man is Cosell? In an uncharacteristic moment of candor in *Cosell* (his second volume, *Like It Is*, was published in 1974 by Playboy Press), Cosell writes: "Arrogant, pompous, obnoxious, vain, cruel, persecuting, distasteful, verbose, a show-off. I have been called all of these. Of course, I am." And to give more exposure to this fascinating personality, Cosell launched a widely touted variety program for ABC, *Saturday Night Live*.

In the advance promotion for *Saturday Night Live*, Cosell once again demonstrated his unflagging devotion to the uplift. "In addition to providing great entertainment, we plan to be informative and perhaps, even enlightening."

After an inauspicious beginning that led insensitive sponsors to announce the program's imminent cancellation, the entertainment began in earnest. One show featured a guest appearance by Senator Edward M. Kennedy. Two weeks later Cosell solemnly intoned, "Let us not forget that 13 years ago today John Kennedy was shot dead in Dallas." The orchestra struck up a soft rendition of "Camelot." The camera cut to a splicing of old film clips of JFK, hair tousled and barefoot by the sandy sea's edge, at play with daughter Caroline, at work signing reform legislation. Then the scene returned to Cosell, seated with his guest, the martyred leader's sister, Mrs. R. Sargent Shriver. Mrs. Shriver regaled the audience with reminiscences of brother Jack, the family man, until Cosell had to tell her, no doubt with some embarrassment, that the show must move on to another act.

Arrogant, pompous, obnoxious, ignorant, and so forth. Add to that list of qualifications failure as a variety show host. What activity remains for a man of this character and talent? Politics, of course; and Cosell makes no secret of his availability for high public office. He has his sights trained on a United States Senate seat from New York. Cosell is giving serious consideration to the matter, because, as he writes in *Like It Is*, "I am not at all sure that there is anything left for me to accomplish in sports, and I have an inner drive to do something more meaningful with my life before my string has run out."

"I think I could win easily," Cosell predicts, "if I could get the nomination of the Democratic Party, and there's the rub. My opponent would be the Conservative-Republic James Buckley, whose chief claim to fame is his anonymity.... I think he will be laid bare for what he is: A man deeply rooted in the philosophy of medieval times."

Senator Buckley, pack your bags and prepare for retirement. The march of progress may already have defeated you. The Ninety-fifth Congress will find Senator Cosell among kindred spirits—as a soulmate to McGovern and Abzug, as Humphrey's equal in garrulity, as Albert's competitor for primacy in coherence. Cosell for the Senate! and the country for the dogs. □

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The Judicious Use of Punishment

Ever since the events chronicled in the third chapter of Genesis, the problem of good and evil and its corollary, crime and punishment, have preoccupied mankind. The debate probably began when *Homo sapiens*, or possibly *Homo erectus*, perceived (or thought he perceived) a significant difference between himself and the other animals. It is certain that at least since the days of Hammurabi, Solon, and Lycurgus, philosophers, theologians, lawyers, and lawgivers have pondered and disputed the cause and cure of crime, with special emphasis on the limits and purposes of punishment. I think it unlikely that the debate will soon or ever produce a consensus, much less a satisfactory solution, but Ernest van den Haag's *Punishing Criminals* does more to put the questions into focus, to state them objectively and unemotionally, and to summarize the current state of our knowledge (such as it is) and theories, than any other modern work with which I am acquainted, with the possible exception of James Q. Wilson's *Thinking about Crime* —which comes to rather similar conclusions.

The author is, in fact, *vox clamantis in deserto academico*, for his very objectivity and rationality go strongly against the views now in fashion among the intelligentsia (genuine and brummagem) generally and the professorate in particular. Van den Haag quotes Nietzsche's observation that writers "are in the habit of taking the side of criminals." There were and are exceptions: Fielding, who was a Bow Street magistrate, never displayed much tenderness for criminals in either his judicial or his literary work, and Dickens, though full of generous sympathy for the poor and oppressed, had no more objection to hanging Fagin and Bill Sikes than Mark Twain had to hanging Injun Joe. (Sikes and Injun Joe, of course, perished miserably without requiring the services of the public hangman, but Dickens and Twain obviously saw their fates as a sort of divine retribution.) It is, however, true that the lesser literati, especially in modern times, commonly find pimps and muggers as endearing as Krazy Kat found Ignatz Mouse. The only criminals who are beyond their charity are corporate executives and the Watergate conspirators. (The *New York Review of Books* recently published a piece by one Kirkpatrick Sale denouncing the Watergate prosecutors for being insufficiently ruthless in their pursuit of Mr. Nixon's henchmen.) Van den Haag, to the scandal of the pious, actually believes, and is not ashamed to say right out in public, that criminals ought to be punished. He believes that the victims of crime are entitled to more consideration than those who prey on them and that swift, certain, and reasonably severe punishment does in fact deter crime.

Unfortunately the pious belief that punishment is immoral, that the only real criminal is a heartless and oppressive society, is by no means limited to the *New York Review of Books* set. It is distressingly common even among lawyers and judges. It may not matter very much that academics like Anthony Amsterdam and Michael Meltsner want to abolish the death penalty, or that Jessica Mitford feels the same way about penitentiaries. But it will matter if judges, who have the duty to enforce the law and the power to construe the Constitution, are converted by their impassioned rhetoric. At least two Justices of the Supreme Court, Marshall and Brennan, believe that capital punishment in any circumstances and for any purpose is "barbarously cruel" and therefore prohibited by the Constitution.

Punishing Criminals

by Ernest van den Haag
Basic Books $11.50

A superhumanitarian federal judge, James E. Doyle of the Western District of Wisconsin, speaking from the bench, not long ago called imprisonment for crime "as intolerable... as was the institution of slavery [and] equally subversive of the brotherhood of man."

It is perhaps encouraging to learn that even the most hardened and incorrigible liberals are likely to see things in a new light when they come in close contact with criminals, as by being mugged or burglarized. Van den Haag quotes calls for tougher punishments from such surprising sources as the *Village Voice* and the director of the Juvenile Rights Project of the American Civil Liberties Union. Shortly after the IRA's renewal of its terror-bombing campaign in London, the *New Statesman*, whose *Weltanschauung* is normally not very different from that of the *New York Review of Books*, carried an article which argued in the strongest language that "death is an appropriate punishment for mass-terrorists both in terms of natural justice and as a deterrent." I have myself more than once heard an Ivy League student, trained to view criminals with warm compassion, express an earnest desire to get his hands on the victim of oppression who had taken his watch and wallet at knifepoint or stolen his stereo. All of these people would do well to suppress their emotions and read *Punishing Criminals*.

Van den Haag's cool and logical exposition of the problem is hampered by one fundamental deficiency in the sciences of criminology and penology: Reliable statistics are shockingly scarce and practically nonexistent until quite modern times. We do not even know with anything approaching certainty the size of the problem, except that it is large and larger in the United States than in other countries. It is probable that only one-third to one-half of crimes committed are even reported; not more than one in fifty or a hundred serious crimes is punished. The deterrent effect of punishment is thus hard to prove statistically, but van den Haag has thoroughly surveyed the best data available, and on such studies as have been made he bases a convincing estimate that if about thirty percent of crimes are actually punished, the incidence of such crimes will decrease substantially.

We are equally unclear about the causes of crime and therefore about its remedies. We can say with something approaching certainty that the poor and ignorant, particularly poor and ignorant blacks, and males between the ages of 15 and 25, commit far more than their share of crimes (or at least of unskilled crimes like murder, rape, and robbery); such empirical observations conduce to the common opinion that poverty is the major cause of crime. That seems plausible—but van den Haag points out the unsettling fact that crime rates have headed for the stratosphere at a time when the number of poor people, and even the gap between poor and rich, has been shrinking.* One possible and partial explanation is that at the beginning of the period most poor and ignorant people lived in rural areas where opportunities for crime were fewer than they are in the big cities which they now inhabit.** Other causes, such as original sin and the simple desire to get something without working for it, are still harder to demonstrate or quantify. Surely one cause is cultural; in many milieus crime is seen as a normal and even pres-

*In the last half-century the percentage of poor families in the United States has dropped from about fifty percent to about ten percent, and between 1936 and 1950 (van den Haag does not give later figures) the income of the bottom fifth of the population increased at a rate about four times as great as that of the top fifth.

**I am not so sure that there has been a decrease in ignorance paralleling the decrease in poverty. There has undoubtedly been a rise in the number of people with high school diplomas, but in New York, and probably other cities, a high school diploma may not even mean that its possessor is literate.

tigious vocation, much preferable to washing dishes or sweating in a factory. What is clear is that the elimination of poverty, ignorance, and "cultural deprivation," although obviously a desirable goal in itself, is far too slow a remedy (if it *is* a remedy) for a disease which has become intolerable. We are left, as van den Haag concludes, with punishment and deterrence.

There are, of course, a limited number of possible types of punishment. Van den Haag favors capital punishment for some crimes, such as murders committed by convicts who are already serving life terms. So do I, and I would add terrorist murders, for the pragmatic reason that most terrorists, believing (often rightly) that their friends will kidnap hostages or otherwise extort their release or that they will benefit from an amnesty when their cause triumphs, do not fear imprisonment. (The most extreme zealots may not fear death either, but hanging them at least insures that *they* will murder no more innocent people, and it may have a salutary effect on the less fanatical.) Imprisonment, despite Judge Doyle, Miss Mitford, and like-minded penologists, is still an appropriate penalty for most serious crimes (including those committed by juveniles), if we acknowledge that its purpose is not to reform, which it very rarely does, but to put the particular criminal out of circulation and to deter other criminals. The book recognizes that both the plant and personnel of our jails stand in need of great improvement. If we are to lock up a significant part of the criminal population, we need much more prison space and much better trained and paid staffs. At present many judges are under pressure to suspend or shorten sentences simply because they know there is no room in the pen, and the government of the inmates is too often left to the more ferocious thugs among them. All this would cost money, but not nearly so much as the present rate of crime.

Van den Haag does not favor corporal punishment, largely because (in his capacity as psychoanalyst) he thinks that in the last couple of centuries it has become "sexualized," identified with sadism, and therefore disreputable. I am not so sure. I do not recommend a return to the spectacles of the Flavian Amphitheatre, with felons battling lions and each other in Shea Stadium, nor to the even more barbarous punishments which passed for public entertainment and instruction in the Middle Ages. But a reasonable whipping, inflicted privately and under medical supervision, might—particularly in the case of the most dangerous class of criminals, young males—prove a deterrent more effective than, and at least as humane as, our present places of confinement. I doubt that any substantial part of the public would derive sexual gratification from the knowledge that persons convicted of violence were themselves subject to a degree of violence. The relatively enlightened and progressive government of Singapore regularly resorts to a form of caning with, I have read, excellent effect.

Van den Haag thinks that there should be more use of fines and confiscations, following the example of the Netherlands and some Scandinavian countries. But money penalties, even when they are proportioned to the convict's wealth, necessarily fall more lightly upon the rich and in any case are not very appropriate for the rank and file of violent offenders. The street criminal is seldom thrifty; he may be quite unable to pay any fine, no matter how lucrative his criminous activities. A similar objection can be made to stigmatizing punishments, such as the military dishonorable discharge: we can hardly injure the good reputation of those who have none. One other traditional penalty, punitive labor, although much favored in Russia and similar despotisms (where it often amounts to corporal or capital punishment), is of small utility in the United States. Galleys are no longer in use, we have better sources of power than treadmills, and organized labor would make politically impossible the Roman *damnum ad metallas* or other forms of hard

labor which would otherwise be performed by honest citizens at good wages.

Imprisonment, fines, death for some offenses, and possibly corporal punishment, could be adequate deterrents. Van den Haag is almost certainly right in saying that there would be far fewer crimes if potential criminals were convinced that they ran a substantial risk of punishment. Like other men, most of them are quite capable of making, however roughly and even unconsciously, cost-benefit calculations. The real problem is that we make so little use of the sanctions at our disposal. Here van den Haag places the blame squarely on the law itself and particularly on the courts. With much reason he indicts our system of criminal justice for its inordinate slowness, its obsessive fear that an unjust conviction may somehow occur (and its indifference to unjust acquittals), and its general solicitude for the criminal rather than the victim. In particular he condemns the rule that evidence, no matter how undisputed its truth and relevance, must be excluded if it was obtained in violation of the rights (in recent years enormously expanded) of the accused. Much better, he believes, would be the deterrence of police lawlessness by punishing the police rather than the public. Van den Haag might have included, among the many pertinent and pungent quotations which he has gleaned from what must be an extraordinarily wide reading, what Benjamin Nathan Cardozo once said about the question: "The criminal is to go free because the constable has blundered.... The pettiest peace officer would have it in his power, through overzeal or indiscretion, to confer immunity upon an offender for crimes the most flagitious. A room is searched against the law, and the body of a murdered man is found. If the place of discovery may not be proved, the other circumstances may be insufficient to connect the defendant with the crime. The privacy of the home has been invaded, and the murderer goes free." Cardozo's observation has generally been overlooked, especially by liberals.

The problem of reforming the law is too vast to be thoroughly canvassed in this review or even in the book itself. The Constitution places more limits on streamlining the criminal process than van den Haag acknowledges. Nevertheless, there are many useful things that probably could be done without transgressing the Bill of Rights. A few examples: Juries smaller than the traditional 12 can be authorized, and majority verdicts may be constitutional. Speedy trials could be mandated (the Army sets a limit of 90 days on the delay between arrest and court-martial) if more prosecutors, defense counsel, and judges were supplied. (That cost, too, would be trifling compared with the cost of crime.) The wild disparity between minimum and maximum penalties and the consequent capriciousness of judicial sentencing could at least be abated: There is much to be said, and the author says it well, for mandatory and uniform sentences for the same offense, without quite so much guessing about what may be best for the particular felon. There is no reason why really dangerous offenses by really dangerous juveniles (above, say, the age of 14 or 15) should not be treated as seriously as they deserve to be. Above all, there should be more and better prisons.

As noted above, I agree with van den Haag that not even the most humane and enlightened correctional confinement is likely to do much to reform the inmates. If they become less criminally inclined while in durance, it is usually merely because they become older. (Criminals over the age of forty are relatively rare, except among the most highly skilled and professional categories, such as securities swindlers.) Better vocational training would be good in itself and might encourage some convicts to earn an honest dollar when they get out. But I am skeptical: I suspect that many muggers and heroin peddlers find their trades more exciting and enjoyable (and less plagued with tax problems) than repairing carburetors.

There is, however, one type of rehabilitation that deserves more attention than it has got in recent years: The propaga-

tion of religion—the nuttier the better, so long as it contains plenty of hellfire, and an equal quantity of faith in a glorious hereafter for those who behave themselves. The communicants of some of the most bizarre theologies ever heard of—Jehovah's Witnesses, Mormons, and the like—are notoriously law-abiding. The Black Muslims, except for their habit of occasionally massacring each other, have achieved striking success in turning black convicts into hard-working and honest citizens. A religion sponsored by the state would be unlikely to have any such effect and would anyhow be unconstitutional. But perhaps the FBI or the Bureau of Prisons could mount a covert operation. (I am reminded of Pornosec, a division of the Ministry of Truth in George Orwell's *1984*, whose mission was covertly to produce pornography and disseminate it among the proles, to keep their minds off politics.) I could myself, given a decent salary and comfortable working conditions, invent four or five new pentecostal religions between the hours of nine and five on weekdays.

The stimulation I have received from reading *Punishing Criminals* has led me into far too many words. Van den Haag's work cannot be condensed and summarized: There is no fat to be fried out of his literary style. He has made an enormous addition to the small stock of rational thinking about crime. Considering that he is a psychoanalyst, a sociologist, and a professor, his objectivity and lucidity are truly astonishing. He fairly deserves Juvenal's description, "*rara avis in terris, nigroque simillima cygno.*" I hope the book will be widely read by lawyers, judges, and politicians. It could be well employed as a treatise in universities. But I fear there is small chance of the latter. □

Book Review/M. Bruce Johnson

Guess Who's Coming to Lunch?

As the growing politicization of economic decisions produces economic consequences that leave more and more Americans confused and angry, it is encouraging to find academic economists addressing their remarks to the general public as well as to the professional fraternity. Milton Friedman, invariably articulate and provocative, has released a new volume of topical essays taken from his recent *Newsweek* columns, *An Economist's Protest*, and a variety of other sources, among them a 1973 *Playboy* interview.

The *Playboy* selection, a delight and a true classic, is particularly illuminating because the interview format allows Friedman to respond immediately to the loaded questions that free-market advocates have all been asked in one context or another—questions perhaps many wished they had been better prepared to answer. Between the interview and the other essays, the coverage of topics is comprehensive; Friedman skillfully applies economic analysis to dozens of issues as varied as corporate social responsibility, inflation, minimum-wage legislation, public welfare, government regulation, tax shelters, civil liberties, and oil cartels.

The key word in the preceding sentence is "analysis." "Economics is a serious subject with a hard core of sophisticated analysis that is widely accepted by professional economists of every political persuasion." Following that preamble, Friedman states his goals for the volume: "First, to offer persuasive evidence that there is a valuable body of positive economic analysis that can yield reliable results when applied to specific problems and that has important implications for both the consequences and the desirability of public policies... Second, to present an evaluation of current policies in light of a fervent belief that the promotion of individual freedom should be the prime objective of social arrangements." He succeeds brilliantly, although at times it requires skill and alertness to separate the positive economics from the stipulated concern for individual freedom. Readers will find the essays lively and of convenient length for easy reference; they will also find a place or two to quarrel.

What is the nature of my complaint? When the *Playboy* interviewer asks if it is "right" that some communities "are trying to keep out subdivisions, industry, nuclear power plants and so on," Friedman responds, "Of course," and proceeds to argue that competition among small units of government will provide diversity, pluralism, and multiplicity of choice: "If you don't like what one town does and can't change it, you move to another town. You have competition among towns for the provision of services. No reason why you shouldn't. On the whole, the formal restrictions on governmental activity should be the most severe at the federal level, less so at the State level and least of all at the local level."

There's No Such Thing as a Free Lunch

by Milton Friedman
Open Court $9.95, $3.95 paper

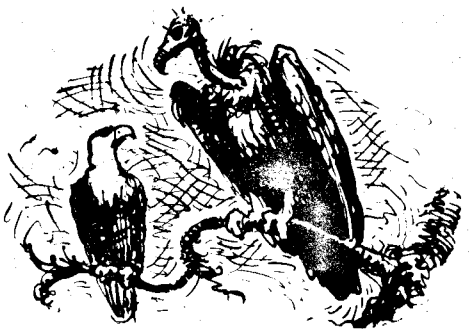
Is this a conclusion that follows from either positive economic analysis or a concern for promoting individual freedom? Doesn't local government oppress the average citizen as much as central government? Local government can, and does, strip you of your access to labor markets (business licenses and taxes), abridge your property rights and reduce your wealth (rezoning, down-zoning of density, building codes, use permits, no-growth ordinances), force you to support governmental monopolies (public utilities, public schools), infringe on your rights of assembly and association (parade permits, antiloitering ordinances), and prohibit certain activities (gambling, prostitution, massage parlors, liquor, and smoking ordinances). Local laws can be and frequently are tailored to expropriate or harass particular individuals or minorities.

The federal government's large and heavy foot steps on so many individuals at one time that the federal burden on a particular citizen (as opposed to a class) may be light in comparison with the burden of local government. Congress is not likely to legislate a restriction on your property rights in a particular parcel so that nothing can be done with your land; local governments do use such tactics and may put the matter to a vote of the "people" so that everyone can decide how you may use your land.

Unfortunately, we do not have more than a provisional economic theory of government—either federal, state, or local—and so neither Friedman's interpretation nor mine can be measured against the standards of positive economics. Yet, one wonders—if the resident of a major city neither likes nor can change zoning, must he move to Houston, the only major American city without zoning? Is the ubiquity of zoning and the lack of diversity and choice in cities the result of market forces? Or are the results we see caused by federal regulations and control?

But I exaggerate my complaint by dwelling on a single issue. This collection of essays deserves wide circulation and study. Although the material is nontechnical, the applications of economic analysis to concrete situations are rarely obvious; hence, the book will appeal primarily to thinking people. The Friedman volume requires an attentive, patient, and open mind if it is to be appreciated as the first-rate work it is. □

The Nation's Pulse



by Peter J. Rusthoven

Angola: Applying the "Lessons" of Vietnam

In the 402 years since Portugal first colonized it, the African nation of Angola has seldom, until recently, been a focus of world attention. True, some interest was generated towards the end of the nineteenth century, when the Portuguese mortgaged the colony to Germany and Great Britain to secure a little operating cash. And occasional minor uprisings against colonial administrators have also, from time to time, merited a paragraph or two of reportage in the larger organs of the daily press. But by and large it is only in the last fifteen years or so that Angola has, to use the idiom, been "in the news." In the early 1960s, the story centered around the launching by native Angolans of their final struggle for independence. UN admonitions against Portuguese "repression," diplomatic pressure on Portugal to end one of the last exercises in African colonialism, and sporadic student demonstrations directed at American corporations doing business in Angola—all kept the story alive until at last, Portugal abandoned its Angolan interests and turned its attention to the developing mess within its own borders. Since the granting of independence, the battle among various Angolan factions for military and political supremacy has made Angola a regular feature on the evening news.

In the United States, recent interest in Angola centers on the question of American "involvement" in the present armed conflict. The basic background of this controversy is relatively straightforward. Three groups seek power in Angola. One is the Popular Movement for the Liberation of Angola (MPLA), a Communist-oriented outfit backed by the Soviet Union and Cuba. Although the exact nature and extent of Soviet and Cuban intervention is unclear, in essence the Russians are contributing substantial amounts of military and economic aid, while the Cubans have sent anywhere from 3,000 to 7,500 soldiers to assist the MPLA. Opposing this organization are the National Front for the Liberation of Angola (FNLA) and the smaller National Union for the Total Independence of Angola (UNITA). Reportedly, these two organizations have little in common beyond their joint opposition to the Soviet-backed group. They are receiving support in the form of troops from the Republic of South Africa, which seems motivated in large part by MPLA terrorist activities directed at South African citizens. In addition, the FNLA and UNITA have been (and to some degree apparently still are) receiving money and equipment from the United States. It is this American aid, of course, which is the source of the current brouhaha which goes by the name of "Angola."

Now I am not sure whether sending aid to the anti-Soviet factions in Angola is the wise course for American foreign policy, and I propose no extended consideration of that topic in this space. My personal knowledge of the various factors involved in making such a judgment is far too limited to permit arriving at a confident conclusion. My initial instincts, I will admit, tend to favor such assistance. For one, I am generally hostile to Soviet attempts to obtain further influence and possible control of additional sectors of the globe, since such attempts do little to expand the quantum of human freedom still extant in this world. Moreover, Angola reportedly has some strategic importance as a port for naval vessels in the Indian and Atlantic Oceans—at least our State Department seems to think so, and so, apparently, do the Soviets. Regardless of whether American aid is desirable, however, one feature of the recent public discourse on Angola is disturbingly clear—namely, that the entire discussion has been "informed" and dominated by a set of so-called "lessons" of Vietnam, the import of which appears to be that any American involvement and/or intervention in overseas conflicts will and must be thoroughly unsuccessful, dangerous, and foolhardy.

The most dramatic example of this mind-set toward United States actions in the field of foreign affairs comes courtesy of the Columbia Broadcasting System, with particular honors due Walter Cronkite and Eric Sevareid. On the very day that American aid to Angola was, with appropriate suggestions of conspiratorial malfeasance, "revealed," the CBS Evening News took to the air with a much ballyhooed statement of network policy on the matter. Vietnam, anchorman Walter solemnly and sonorously informed us, was positively the worst, the most divisive, the most deadly, golly, just the most godawful experience this nation had ever endured. It must never, ever happen again. Accordingly, CBS (you know, the people who respond to criticism by saying that all they do is report the news) was going to make Angola the first and longest story every night in order, said Walter (Vietnam heavy on his mind), "to try to play our small part in preventing that mistake this time." Immediately after this pretentious preface there followed several stories designed to reveal "covert" American involvement in yet another "local" conflict, capped by one of Mr. Sevareid's patented, soberly vacuous ditties, this one on how U.S. intervention in Angola would be as foolish as (you guessed it) Vietnam. This pattern, with slightly shorter introductions, was repeated for the next several days.

This Angola-equals-Vietnam theme was the instantaneous chorus of much of the rest of the media as well. Editorial cartoonists graced the issue with their unique brand of self-righteous oversimplification. Among strong competition, Mr. Conrad of the *Los Angeles Times* carried away top honors for his effort featuring the caption, "If You Liked Vietnam, You'll Love This One!," emblazoned over a large, block-letter ANGOLA, which in turn dominated a scene of wartime destruction. *The Nation*, displaying ponderous vituperation, editorialized thusly: "We can thank principally Lyndon B. Johnson and Richard M. Nixon for this extraordinarily destructive legacy. It makes our system of government nearly impossible to operate on the constitutional principles which we are undertaking to celebrate this Bicentennial year." And further in its pages, Sean Gervasi, a sage from City University of New York and consultant to the United Nations, presented a repetitive *tour de force*, in which he noted: (a) "The United States must withdraw from Angola if it is to avoid a disaster which will have even more serious consequences than the debacle in Vietnam"; (b) the U.S. must "avoid other Vietnams and Angolas in the future"; (c) "The poor seek a new international economic and social order. If we try to preserve that order as it has been, we shall spend a century fighting 'two, three, many Vietnams' "; and (d) the U.S. must quit sending aid to Angola "to avoid a repetition of Vietnam." I believe Mr. Gervasi has made his point.

Those who fear that such sophisticated, complex analysis of international affairs is limited to the solons of the media may take heart: Congress swiftly demonstrated that it too boasts individuals and scholars capable of drawing the difficult analogy between Angola and Vietnam. Among many candidates, allow me to present Statesman-Philosopher John Tunney, the boy Democratic Senator from

the State of California, who led the fight to cut off further American aid with these words: "For the past thirty years, we have given the military adventurists what they wanted and they have gone everywhere and done everything, getting us involved in everybody else's business from Asia to Latin America, and now, so it seems, Africa." Having thus by implication condemned, in addition to the Vietnam war, the Marshall Plan and our involvement in Korea and Lebanon, Tunney proceeded, after a scant three days of debate, to muster a 54-22 margin in favor of prohibiting additional direct military or economic assistance to Angola. The House soon followed suit with a similar vote.

As of this writing, the Administration is continuing to provide indirect support for the anti-Soviet forces in Angola by a number of devices not forbidden by the Congressional vote—as, for example, by persuading Gulf Oil not to make a mineral royalty payment of some $100-plus-million that would have gone to the MPLA. Regardless of whether such measures prove wise and/or successful, however, the sampling of reactions by various sectors of the press and an apparent majority of both Houses of Congress which have been outlined above scarcely bodes well for effective American participation and influence in international affairs. For those reactions indicate that a significant portion of American opinion-making and political leadership firmly believes, and is determined to persuade the American public, that such participation and influence is inherently suspect and dangerous. In this developing evangelical religion of absolute noninvolvement (at least for the United States), "Vietnam" has become the prime doctrinal tenet. Small countries, says the doctrine, are simply "not vital" to American interests, and hence worth no sacrifice or risk; American involvement in the "internal affairs" of such countries is itself "immoral, militaristic adventurism," and perhaps "imperialistic" as well; moreover, such adventures will invariably cost immensely in terms of both money and lives, and are doomed to failure in any event. For all these points and one more—namely, that America must never again become involved in a foreign conflict—"Vietnam" is cited as conclusive authority.

Conspicuously absent from this litany, of course, are references to the expansion of Soviet influence or control, or to any possible duty on the part of this nation to stand up to such expansion. No pretense to consideration of any strategic factor is made, save for the asserted unimportance of any region not found within the borders of the United States (with the possible exception of one or two countries in Western Europe). No mention is made of how this unreflective obsession with "no more Vietnams" affects the world's view of the significance of American power or the seriousness of American commitment. No attention is paid to the advantage given our foes by this public, unilateral disavowal of an entire set of military and economic options which our opponents would otherwise be forced to weigh at their peril. Traditional considerations about the need for swift executive action based on confidential information in conducting the foreign affairs of this nation are similarly given short shrift.

I do not know how many of these factors are actually implicated in the present pother over Angola. It is clear, however, that such factors should be accorded serious consideration in formulating proper American policy in the international arena. It is clear as well that the mindless recitation of the so-called "lessons" of Vietnam which has dominated public discussion of Angola takes no account of them. If such continues to be our public response to critical events throughout the world, then Vietnam will indeed have left a tragic legacy, one far more serious than any found on the standard list of traumas which conventional wisdom asserts to have flowed from that lengthy conflict in Southeast Asia. The *New York Times*, in criticizing Soviet aggression in Angola, has aptly commented as follows: "There was a time when the United States would have responded to such a massive and menacing intervention with its own show of force, but that is something the American people would never countenance now." If this indeed is an accurate expression of the American citizenry's post-Vietnam view of our global responsibilities, we need have little doubt that those who wish us ill will act, to our detriment, on that basis. □

Book Review/John Muggeridge

Nobody Died Here Since Yesterday

In his now historic interview with Walter Cronkite, Alexander Solzhenitsyn remarked on the lamblike behavior of Western investigative journalists in the Soviet Union. Gumshoeing in the Free World is one thing, but where oh where are the Jack Andersons of Eastern Europe? Where the Pulitzer prize-winners from the Kremlin's press gallery? It seems that once on the wrong side of the river Elbe our unsleeping guardians of public morality suddenly succumb to moral drowsiness. Passports and special immunities notwithstanding, they lose their appetite for unearthing the truth and letting the chips fall where they may. Indeed, over there *preventing* the chips from falling where they may *not* becomes a matter of such overriding concern that the meanest party hack of a P.R. man is listened to unquestioningly, and we have the spectacle of that fire-eating radical, Karen De Crow, president of the National Organization for Women, meekly changing her speech to suit the Soviet censor. Moscow quite unmanned her.

Hence we owe a special debt of gratitude to those brave souls like Kundera and Vaculik who keep on telling us what conditions are really like behind the Iron Curtain. We need to be constantly reminded that there is another side to Soviet life than that exemplified by Brezhnev and Harold Wilson horsing around over the latter's dispatch case; or by President Ford with his vacuum-cleaner-salesman's smile promising the Soviet dictator yet another grain shipment. So, when Wilson (pipe-smoking to stress his affinity with pub and pulpit) delivered himself of what must surely be the silliest of all the Helsinki bromides yet, to the effect that the 1968 invasion of Czechoslovakia could have been averted had the treaty been signed sooner, it is most salutary to hear him refuted not only by the Czechs themselves but also by their civil libertarian supporters in the United States, the liberal playwright Arthur Miller, for example, who reacted to the latest news of cultural oppression from Prague in starkly un-Wilsonic language: "We owe the Czechs something because they are paying the price for the Cold War's end and detente." Detente, then, is something to be paid for in human suffering as well as diplomatic dyspepsia.

Laughable Loves
by Milan Kundera
Penguin $3.50, paper

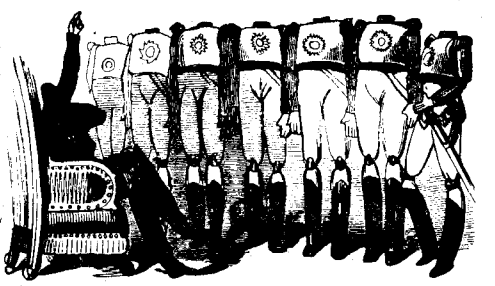
The Guinea Pigs
by Ludvik Vaculik
Penguin $3.50, paper

Miller wants Western writers to "keep up a howl so the Czech people don't think they're completely forgotten." But there would literally be nothing to howl about if it were not for the likes of Ludvik Vaculik and Milan Kundera who are among the sixty Czech intellectuals still dauntlessly holding out against President Husak

—Husak-Rusak as he is affectionately referred to by his constituents—and the post-1968 puppet Writers' Union. For if the sixty caved in tomorrow, there is no doubt that the Western liberal press would immediately and joyfully let bygones be bygones and begin celebrating a new era in Czechoslovakian national unity. Overnight Husak-Rusak would straightway become the binder of his nation's wounds. This, after all, is exactly what has happened to his Hungarian counterpart, Janos Kadar; indeed the image of that occupant of a murdered man's shoes has been so successfully humanized that there was no audible note of irony in the greeting recently extended to him in Budapest by the British Foreign Secretary: "To understand all is to forgive all." As for Husak, the process of transforming the tyrant into the conciliator is already well under way. "It is apparent," writes *Washington Post* reporter Dusko Doder, "that the government is determined to win over the intellectuals since their absence from the country's activities is a major obstacle to national reconciliation." It is in giving the lie to this sort of ideological softening up that the dissidents' testimony is so valuable. They put national reconciliation in its proper perspective. We know from the record of arrests, rifled apartments, manuscripts refused publication, and children denied higher education, the true meaning of what Doder euphemistically refers to as "the government's overtures to alienated intellectuals." Solzhenitsyn calls detente hammering nails into the coffin of Eastern Europe. At least Kundera and Vaculik have made sure that Czechoslovakia's coffin remains above ground. They are defying their nation's morticians.

And the interesting thing is that they are doing so in the name of Western left liberalism. This is what makes Wilson's Helsinki clanger ring so loudly. Neville Chamberlain can perhaps be excused for betraying the Czechs on the grounds that as a minion of the British ruling class he could scarcely be expected to sympathize with Central European social democrats. But not Wilson. By rights Central European social democrats should be Wilson's soul brothers. They certainly enjoyed such a fraternal relationship with his predecessors, as the briefest perusal of British academic leftism's house organ, the *New Statesman and Nation*, indicates. Nor is there much doubt that in England Kundera and Vaculik would vote Labour. Vaculik, mad as it may seem, actually favors detente, and in a recent newspaper interview expressed the hope that publishing his works in the West (they are, of course, officially unheard of in Czechoslovakia) would encourage "the formation of a pan-European consciousness... in keeping with the call for security and co-operation in Europe."

It is this leftist cast to Czechoslovakian dissident literature which makes it so profoundly despairing. Modern Czechoslovakia is the end of the road for fellow-travelers. At a 1948 news conference in Washington, Jan Masaryk brushed aside the Cold War with the assertion that he could see no Iron Curtain; months later he was lying dead on a Prague sidewalk. Yet given the history, geography, and sociology of Czechoslovia, what else was there for him to have faith in except Communist good intentions? His nation's founding fathers were leftists, its founding godfather was Woodrow Wilson, and its leading social class is an urban intelligentsia incurably addicted to avant-garde cinema and the demanding of plebiscites for the national minorities with which their country is so richly endowed. No wonder that, according to one political scientist, Czechoslovakia has never managed to produce a conservative party. Enlightened patriots in that part of the world look leftwards. And since the Mecca of established leftism in Eastern Europe is Moscow, where else are progressive-minded Czechs to look for inspiration? After 1948 the path of progress was that of foreign domination. During the Prague Spring of 1968 dissenting



leftists came to power, and it looked for a moment as if under the liberal leadership of Alexander Dubcek the language of ideological debate would at last be Westernized and Czech supporters of Soviet power be stuck with the label they deserve: right-wing reactionaries (or, as Neal Ascherson, Vaculik's English leftist editor, hopefully dubs them, "pro-Soviet forces of conservatism"). But, alas, socialism was not destined to wear a human face. Winter quickly set in again. Russian tanks moved in on Prague and the forces of liberation including *Ramparts*, the *New York Review of Books*, the *New Statesman*, *nouvelle vague* films, some of them actually shot in Czechoslovakia, were driven back to the border. Hence the dissidents' despair. Closely watched trains are no longer running, and Vaculik, author of the famous two-thousand-word Manifesto of 1968—which was actually banned by Dubcek for being too progressively anti-Soviet—has now written a novel called *The Guinea Pigs*, whose pessimism concerning human nature makes John Updike's *Couples* read like a Harlequin romance.

For Vaculik there is no hope. Not even from Above. "God does not help or hinder anything; as if he were watching without seeing or else seeing with all his stocks in another corporation." We are Chevrolets and God has His money in the United Fruit Company. The less we interact with Him the better. As for getting involved with people outside our immediate circle—forget it. Intervention from whatever direction ends up, sooner or later, wearing a Warsaw Pact uniform, and being one's brother's keeper is nothing but a first step to becoming his jailer.

The Guinea Pigs is about what happens to a man who forgets to mind his own business. Vasek, a clerk at the state Bank, gets interested in guinea pigs. His curiosity grows more and more scientific until finally it becomes simply an excuse for random cruelty. Reverence for life disappears in the laboratory. Guinea pig research teaches Vasek only that in the matter of socialization animals have the edge on humans. "I can believe," he muses, "that a subnormally clever animal cannot achieve a position of leadership within its pack or herd. But I can't believe that stupid people will be kicked out of their influential positions. I am amazed. First we try humanely to rear them to the idea of equality and they—having achieved power—flatten everything down to their level. Such monstrous incompetence on our part cries to Heaven. And Heaven is really functioning. Try reaching into the manger at Christmas time." Where upholding the prohibition against stealing is concerned, even Heaven supports the Regime.

Vasek tries reaching into the affairs of his fellow bureaucrats. A plot is in the wind to subvert Czechoslovakia's economy by establishing a secret circulation. Less currency is returning to the bank than is leaving it. Even bills routinely stolen by the clerks are not coming back to the clearing house as they should. Vasek's attempts to unravel the mystery of the missing bank notes lead him inevitably to more guinea pigs and more random cruelty. By the last two chapters alienation has reached such a pitch that Vaculik's hero can no longer even bring himself to use the first person singular. The message of the book is perhaps best summed up by the nurse who refuses to answer Vasek's inquiries concerning his hospitalized son. In desperation Vasek shouts into the phone: "Well, is he alive or dead?" "There was a sudden silence on the phone. Then she spoke: 'Go on for Heaven's sake. Why shouldn't he be alive? Nobody died here since yesterday.' "

Where Vasek turns for relief from life's horrors to guinea pigs, Milan Kundera's heroes go to women. The assumptions about sex in his collection of short stories, *Laughable Loves*, are all pre-Women's Liberation leftist. Intellectually he belongs to the generation of the fifties and sixties which saw in sleeping around a sign of political and cultural maturity. It was a way of identifying with the anti-establishment Establishment. By their conquests ye shall know them. In those innocent times mistresses went with symphony tickets and nuclear disarmament rallies; sexism hadn't been invented; matrimony (but not rutting) was something the young needed to be warned against, and *Playboy* was read for its editorial policy as well as the articles. For Kundera, likewise, marital faithfulness is suspect. In his stories it is the party man

who sticks to his wife, and the sensitive and free-spirited who seek consolation elsewhere. "Nobody Will Laugh," for example, is about an art historian who keeps a seamstress. He is pestered by an author who wants help in getting a worthless article published. The professor uses various devices for getting rid of the importunate writer including accusing him of making a pass at the seamstress. But to no avail. In the end his tormentor unearths the fact that the seamstress is being kept in an unregistered love nest. The party committee intervenes and our hero faces the prospect of being busted to doorman in a gallery. Bureaucracy, in other words, triumphs over culture and free love. In the West Kundera would surely have testified for Lady Chatterley.

On one matter, however, he does not follow Western liberal stereotypes. His treatment of organized religion is markedly free from the mixture of contempt and condescension which so often characterizes writing on the subject over here. Not that Kundera is pro-Christian. In "Edward and God" he equates Church membership with hypocrisy. In this story neither the Communist directress nor the Christian girlfriend appears in a favorable light. And the Don Juan (one of Kundera's stock characters) ends up getting involved with both, making love to the directress to save his job, and professing faith in Jesus to the Christian to break down her resistance. Nevertheless there is a realistic note in Kundera's analysis of the Church's role. He is not talking about bare ruined choirs. In a militantly atheist state where making the sign of the Cross in public is an occupational hazard and all forms of Christian worship are thought of as being potentially treasonable, the Church is of necessity taken seriously. Here, for example, is Edward's cross-examination by his Communist superiors:

" 'I don't want to believe, but I do believe,' Edward quietly repeated his confession. The teacher laughed. 'But there's a contradiction in that!' 'Comrades, I'm telling it the way it is,' said Edward. 'I know very well that faith in God leads away from reality. What would Socialism come to if everyone believed that the world was in God's hands? No one would do anything and everyone would just rely on God.' 'Exactly,' agreed the Directress."

Don't talk to *her* about Marxist-Christian dialogue.

Kundera himself relies on neither socialism nor God. He has only Eros to fall back on. In "Let the Old Dead Make Room for the Young Dead," the lonely widow says: "In love even the most passionate idealism will not rid the body surface of its terrible basic importance." It is not surprising, then, that Philip Roth is among Kundera's most ardent Western admirers. Kundera and Roth have a shared belief in the importance of body surfaces. Both are members in good standing of the erotic Left. And so Roth is editor of a series, including *Laughable Loves* and *The Guinea Pigs*, called *Writers from the Other Europe*. According to a publishers' handout, Kundera's contribution has been praised "by literary figures as diverse as Jean-Paul Sartre and Louis Aragon." The existence of such a fan club suggests that the series would be better named "Voices from the Same Old Europe."

Leftism old and new aside, however, Kundera and Vaculik have witnessed the truth about Soviet frightfulness. Granted, one misses in their work Solzhenitsyn's joyous transcendentalism. Roth says of Kundera's stories, "What's laughable is how terribly little there is to laugh at with any joy." That is because neither writer has anything much to hope for. Nevertheless Vaculik and Kundera deserve our gratitude, and so for that matter does Roth for having brought them to us. Vaculik recently explained that he allows his works to be published in the West so that the world may know he still exists. It is a fact worth knowing. □

Book Review/Thomas Molnar

Individualism and Authority

This civilized book is challenging but fails to present a sustained thesis. One wonders, for example, about the title itself, since Nisbet does not keep *authority* in focus. The book's unity and organization suffer from the fact that many portions appeared as distinct magazine articles and also from the contradictions throughout between Nisbet the sociologist and Nisbet the political historian. Still, *Twilight of Authority* is an exciting work that graces an otherwise tired Bicentennial; indeed, it is a testimony to its intellectual liveliness that one wants to debate the author on so many of his points.

The thesis of the book, such as there is, is reminiscent of Nisbet's celebrated earlier work, *The Quest for Community*. Organic social ties have been decomposing in the modern world, and symptoms of this malady include the centralized State, the military mentality, pervasive bureaucracy, and socialism. This is a defensible diagnosis, but unfortunately Nisbet weakens it by placing it in a historical overview in which practically everyone is blamed for the decomposition: Augustan Rome, the medieval warlords, Charlemagne's military (?) empire, the Roman jurists of the late Middle Ages, the Renaissance principalities, and, naturally, Machiavelli, Hobbes, and Rousseau.

When it comes to the present, Nisbet argues that American government has become an empire in the last forty years,

Twilight of Authority

by Robert Nisbet
Oxford University Press
$10.95

particularly in the 1960s—with enormous bureaucracies, an arrogant White House staff, an emphasis on the military, and the enthusiastic cooperation of collectivist intellectuals—and he buttresses his argument by convincingly comparing our society to imperial Rome and other power centers of history. I have no quarrel with this description, but I disagree when Nisbet asserts that such developments are somehow unnatural. I am also skeptical when he blames *raison d'état* for Nixon's lies and the Watergate affair, foreign interventions unapproved by Congress and public, greater and more impersonal government power, bureaucratic projects hatched for the "happiness" of the people, and equalization as the dominant ideology. Perhaps he is right, but one does not have to be a Marxist or other kind of determinist to perceive Nisbet's own ideological bias—namely that his own quest for community hides an individualism which he considers fundamental and against which he measures the rest of history. In the name of this individualism he judges empires to be cancerous growths, but since his historical overview shows that the times of cancer may be more frequent than the periods of health, he should give empire a more careful conceptual analysis than he does.

As one reads *Twilight of Authority*, it becomes increasingly clear that since Nisbet the normative sociologist favors the sturdy conservative values of local ties, kinship, voluntary associations, and capitalist enterprise, Nisbet the political thinker regards liberal democracy as the last word in the political realm. Yet because he often sacrifices the *political* to the *sociological* rather carelessly, Nisbet overlooks the damage that liberal democracy may do to just those conservative

values. It is significant that he uses the term "transpolitical" to describe both the action of draft evaders and the dispatch of troops to Vietnam, as if anything not approved by Congress, anything unfit for the liberal-democratic framework, were *ipso facto* excluded from politics. If internal disorders and external imperialism are "transpolitical," then Nisbet is rightly scandalized by Nixon's lies and Watergate, but if they are *political* acts, then Watergate was merely the instance of a maladroit President being chased out by men who used the mechanisms of liberal democracy more skillfully. In other—and equally civilized—countries, Watergate would never have become equated with *Götterdammerung*. Yet Nisbet does not find strong enough words to castigate the Vietnam-Watergate complex, for he deplores America's loss of her individualistic and communitarian purity to the politics of power. Does he forget that this purity was lost long ago—when the natural communities of the South were smashed in the Civil War by the North's political will? At that time there was no empire, Honest Abe was in the White House rather than Tricky Dick, and capitalism was not only unhindered but showed a healthy imperial appetite. Nisbet writes, however, as if the "old order" could be isolated from the "new disorder," as if certain trends in the first were not responsible for the ills of the second.

If Nisbet's judgment of past and present is marked by tacit sociological preferences at the expense of historico-political realities, what about his vision of the future and its potentialities? Unfortunately, his last chapter, entitled "The Restoration of Authority," is weakened by the absence of an adequate prior discussion of the reasons for the collapse of authority.

Nisbet lists four conditions of restoration—functional autonomy, tradition, decentralization, and hierarchy—but he neglects the fact that because certain mechanisms inherent in liberal democracy were responsible for its decline, authority can hardly be restored within the same political framework. Indeed, instead of merely giving us a largely *sociological* definition of hierarchy, tradition, etc., it would have been more useful to inform us of the achievable *political* conditions under which we might expect the four pillars of authority to reoccupy their place in the nation. I suggest that Nisbet refuses to engage in this much-needed analysis because, given his own system of reference, he would have to call the conditions of a restoration "transpolitical." I regard this as the central flaw of the book, because the author creates the impression that when a community allows its values to fade, it does not have to pay a heavy price for their restoration, that a simple act of will suffices. This is an ahistoric, voluntaristic view, one which has plagued American conservatism for decades.

Nisbet sidesteps this difficulty by painting the near-future in colors that, quite frankly, I do not recognize around me. Throughout the world, he writes, we now witness the retreat of the State and the decline of sovereignty; the depoliticization of large groups such as blacks, hippies, religious and other communes; the growth and spread of local, neighborhood movements. One of us must be hallucinating, for I, on the contrary, see increasingly powerless masses regimented by increasingly monolithic and despotic States; militant although politically inarticulate minorities; white-hot nationalism and a maniacal stress on sovereignty. As for the cop-outs in whom Nisbet finds a hopeful sign of depoliticization, I see them as marginal forces that revolutions always need for doing the dirty jobs: they are the materiel of ultra-leftist mobs in Portugal, Red Guards in China, and terrorists everywhere from Argentina to Japan.

Critics more attuned to Nisbet's thesis will call him a "Ciceronian" fighting a rear-guard action against the "Caesarian" trend. Cicero, a canny, practical politician, believed in the feasibility of an alliance between the old senatorial and the new equestrian classes, and thus in the restoration of the republican order. Caesar, in contrast, saw the old order as corrupt, inefficient, and without authority; he did not believe anyway that the legions could be sent back to the barracks or that the *optimates* and *populares*, both with insatiably ambitious leaders, could be throttled. He chose to unite in his own person the military commander and the popular tribune, as a new State authority.

This is not only Roman history, it is also an old story. The scholar's task is not to choose between Caesar and Cicero but to study the mechanism of decay and consolidation, of authority and anarchy. Nisbet concludes that "military socialism" is almost everywhere on the rise, except near home. But by not trying to solve the problem implied in the title of his last chapter, Nisbet evades the painful analysis of how to restore authority, and prefers again to substitute sociology for politics. In the logic of this perspective the *Washington Post* becomes Brutus murdering Nixon-Caesar! Does this grotesque image, to which the book indeed refers, imply that from the vantage point of their politics Nisbet and the conservatives with him have no institutional solution to offer the nation? □

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The Bootblack Stand

by George Washington Plunkitt

Dear Dr. Plunkitt:

As you no doubt know my wife has been forced to resign from her $67,500 position as public relations agent for the Iranian airline. A frightening row arose over it, and many shocking allegations of impropriety were circulated because I am a member of the Senate Foreign Relations Committee and because Iran has had some minor involvement with the oil cartel. There was also the exaggerated claim that Iran was a dictatorship and an enemy of Israel. All of this is of course nonsense or simply irrelevant. My wife is a creative woman and liberated up to her teeth. In the event that another position opens for her, how should I reply to the chorus of reactionaries who are out to stifle her? Frankly I suspect many of them as being chauvinists and McCarthyites. Some are unquestionably authoritarians.

—Sincerely,
Sen. Jacob Javits

Dear Senator Javits:

Tell them that's politics. What kind of a man would you be if you did not see to the comfort and security of your family? It is only natural that you should want a little something for your wife to do to keep her mind active. A nice position with the Iranians would have been appropriate. I remember when I was with Tammany and serving as ward boss of the Fifteenth Assembly District. Some holier-than-thou types dug up the fact that my wife was serving on several city commissions and holding down a few jobs over at the Sanitation Department. Well what of it? She was a versatile woman, and we needed the money. I had sacrificed my life in pursuit of the public interest, and now was the time for a little just compensation. Who could hold it against me or her? It is grand to see the spirit of Tammany living on. Prosper and enjoy yourself.

—GWP

Dear Dr. Plunkitt:

Keeping up on momentous American issues as you do, you must realize that in a move of shocking injustice and intolerance the military bounced me from their midst some months ago merely because I had become an outspoken homosexual and a pain in the neck. I have since taken to the campus speaking circuit in attempts to make my case before fellow members of the American intelligentsia. One of the criticisms the military made against me was that having homosexuals in the armed forces might impair their fighting capabilities. How can I refute this cruel charge?

—Peace and Freedom and
Brotherhood and Sisterhood and
anything else that might turn a profit,
Leonard Matlovich

Dear Mr. Matlovich:

It is an absurd disfiguration of the historical record to claim that homosexuals impair the fighting capabilities of military units. Many people of your persuasion fought effectively in World War II under the glorious banners of the German Schutzstaffel (SS). Also, let us not forget that your people served with valor at such crucial spots as Auschwitz and Dachau. Mention this the next time you speak on campus, and my best to your family.

—GWP

Book Review/Kent F. Moors

The Indispensable Strauss

Toward the end of the *Republic*, Socrates counsels that one must seek out a man who can teach the difference between what is valuable and what is not. For those who have considered themselves students of political philosophy during the past few generations, that man has been the late Leo Strauss. We are now experiencing a renaissance of interest in political philosophy, particularly classical political philosophy, which owes its existence largely to the brilliance of Strauss and his erudite students. Where there was darkness, he brought light; where confusion reigned, he projected order. For the discipline of political science, a discipline which had radically severed itself from its essential foundation, Leo Strauss was the "gadfly" *par excellence*.

The Argument and the Action of Plato's "Laws" was completed in 1971, two years before Strauss' death. It is his last major work. The title is instructive. It chooses to deal both with the argument—the development of discussion in the *Laws*—and the action—the deeds demanded by that discussion. This is the only place to begin if one wishes to master the dialogue, as Strauss has constantly reminded us throughout his decades of work with Plato. One must first understand the exoteric development —what is said and what happens—before proceeding on to the dialogue's deeper esoteric meanings and import. That development transpires in the interchange between what is said (*logos*) and what is done (*ergon*). For those who think otherwise, who prefer to employ subjective ideas rather than the actual dialogue as a starting point, *The Argument and the Action of Plato's "Laws"* provides a valuable reprimand.

The Argument and the Action of Plato's "Laws"

by Leo Strauss
University of Chicago $10.75

The *Laws* is Plato's most political work, for in its pages a city is founded through the act of legislating. It is the only dialogue in which the principal character actually engages in political activity during the course of the discussion. The *Laws* is also Plato's longest work, and, if classical tradition is to be our guide, his last. It is the only dialogue in which the juxtaposition of the divine presence and the neces-

sities of political life occupies a central, perhaps *the* central, theme. It is the only Platonic dialogue which begins with the word *Theos* ("God"), and during the dialogue's development, the treatment of the divine and sacred things constitutes the primary shaft by which the entire discussion of actual legislating (Books 4-12) is transfixed. It is that dialogue in which the sinews of Greek civilization confront the awakened human intellect to produce a timeless tract on the subject of political order.

Aside from the *Phaedrus*, the *Laws* is the only Platonic dialogue to occur outside of Athens. Here on the island of Crete, the oldest Greek civilization, three old men embark on a walk from the ancient city of Knossos to the even more ancient sacred cave of Zeus—an Athenian Stranger, the Cretan Cleinias, and Megillus, a Spartan. The dialogue begins after the journey has already commenced and ends before that journey is completed. During the walk, the participants discuss law and government, subjects which will produce the founding of a "city in speech"—a city devised in discussion. In the *Republic*, a "city in speech" is constructed to assist Socrates and his interlocutors in the determination of what constitutes justice. The "city in speech" founded in the *Laws*, however, is shortly transformed into advice given to actual legislators and actual cities. We learn quite early (at the end of Book 3) that Cleinias is to be of ten delegated the task of founding a Cretan colony.

We have in these three characters the representation of three great Greek legal systems. The very discussion of law and government, therefore, takes on added importance when their backgrounds are considered, as they are in the dialogue. These are three old men, presumably wise in the ways of their respective traditions. Cleinias carries with him on this journey the legal traditions handed down by Minos from Zeus. Megillus has been educated in the traditions handed down by Lycurgus from Apollo. The Athenian, the youngest of the three, represents the latest of the hallowed Greek legal institutions. Those legal institutions framed the character which saved Greece from Persian domination at Marathon, Plataiai, and Salamis. Still, it must be recalled that they are also the same legal institutions which produced the Athenian Empire and precipitated what Thucydides justly titles the "great war." These are institutions which can boast the likes of Solon and Pericles; yet they must also bear the responsibility for the likes of Cleon and Cleomedes.

It is not without interest, therefore, that despite these compelling dimensions, the *Laws* has never received an intense degree of scholarly scrutiny by students of political philosophy. There are, perhaps, some reasons for this. It is a massive, complex, and at times trying dialogue. While the Athenian Stranger is unquestionably one of philosophic persuasion, the dialogue is almost completely bereft of philosophic discussion. In this work, Plato chooses to examine the essence of the "real world" of political life. Still, as Strauss counsels parenthetically, this is not simply a dialogue in which Plato acts as a real political legislator would act: "As Socrates explains in the *Phaedrus*, saying to all human beings the same things is the essential defect of writings, a defect which is presumably remedied in Plato's writings: Plato's writings, including the *Laws*, are as remote as possible from the legislator's writings." Cleinias, as one who will contribute to the founding of an actual city, may be considered a prospective "real world" legislator. The Athenian Stranger, on the other hand, while instructing Cleinias in the most important tasks of a legislator, will not himself found a real city. Socrates in the *Theaetetus* claims that he is a midwife of philosophy—capable of bringing forth wisdom in others though barren himself. The Athenian Stranger appears to serve a similar function on the political level in the *Laws*.

What immediately impresses the reader of Strauss' indispensable guide to the *Laws*, perhaps its most striking characteristic, is the way in which the original Greek text is mirrored so closely in the commentary. This is not, however, merely a retelling of the dialogue. Rather, it is an intriguing examination of the complex development of the *Laws*, and the manner in which that development comes to pass. There is present a clear and intimate familiarity with Platonic language combined with a thorough and detailed understanding of the *Laws* as an organic whole. One chapter is devoted to each of the 12 books of the dialogue. As with any Platonic dialogue, the *Laws* constitutes a movement from beginning to end—that is, a problem is posed, a question raised, or a subject introduced, which unfolds progressively through discussion until the participants (and readers) are led to an understanding of truths higher than those possessed by opinion alone. This movement is tightly structured about both the matter under discussion and the capabilities of the interlocutors. Not all who participate in a Platonic dialogue become philosophers, but all are touched and changed by the experience. There is nothing out of place; there is nothing without meaning. Strauss has elsewhere referred to this as logographic necessity—it is, in other words, necessary that each part of a Platonic dialogue be where it is. Plato takes us on a highly orchestrated and integrated journey from the realm of appearance—that which seems to be—to the realm of truth—where one apprehends what is.

The *Laws* develops as the discussion develops. Each theme is predicated upon what has already taken place, and each points toward those which still are to come. It is a fine tapestry woven with great care; only the skillful and thoughtful scholar can show us its intricate detail without losing the overall design in the process. Such is Strauss' accomplishment. The significance of the *Laws*, and the importance of Strauss' treatment of it, lies in the relationship it establishes between political order and legislation on the one hand, and political virtue and right opinion on the other. In the former case, Strauss deftly traces the dialogue's statement on how political order is established and in what ways that order is maintained. Such order requires that the legislator both understand the needs of the city and produce a structure through which the necessities of order are preserved from the vicissitudes of individuals' demands and gratifications. As Strauss comments: "Men's laying down laws and living according to laws are indispensable if they are to differ from savage beasts. The reason is this. No man's nature is sufficient for knowing what is conducive to political life and, if knowing it, for always being able and willing to do what is best. In the first place it is difficult to know that the true political art must care not for the private but for the public.... Secondly, if someone acquires this fundamental insight of the political art... his mortal nature will prevent him from acting according to that insight and urge him on to prefer his private pleasure and ease to the common good." Such preservation of the common good is possible only if proper legislation establishes a foundation for political life which seeks to elevate the whole of the city over its parts. To do so further requires that the legislator be able to identify what drives men to injustice and what can prompt them to love justice above individual satiation. The lawgiver must know the soul of man, for this is also the soul of the city.

Secondly, in recognizing the place of political virtue and right opinion, the *Laws* also commands that the legislator be able to identify the proper ordering of political man—the virtues of the citizen—and the proper perspectives which that ordering exhibits—the opinions of the citizen. All cities construct ideas of virtue and opinions concerning what is to be honored and cherished. They do so always with an eye toward their own preservation. The able legislator is he who can accomplish these tasks without also sowing the seeds of political instability and disorder, for, unless the individual finds significance in the standards established in political life for everybody, he will seek for them elsewhere on his own. The regime of the *Laws* is characterized by a rule of law, not of men. The legislator sets down the standards but does not himself reap the benefits of power

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and high position. Rule in the *Laws* is radically depersonalized. Even here, the common good must supersede the private good. "The work of the most noble laws," Strauss writes, "consists precisely in inducing people to hate injustice and to love justice itself or at any rate not to hate it...." Justice is a political commodity, one which men hold in common. The best legislator, therefore, is one who can direct citizens' attentions to that which binds them together. The long discussions in the *Laws* on the subjects of regard for the divine, education, and reward and punishment indicate the clay the best legislator must employ in molding a regard for justice. These are elements of the dialogue which receive due and cogent consideration by Strauss.

The subject of the *Laws* revolves around the order of political life. There is scarcely consideration of the order of an individual's own existence. The "city in speech" here constructed is one which seeks to ascertain the ingredients of stable political rule. We are deliberately led away from the obvious question—can the individual who possesses a well-ordered personal existence exist in the regime constructed in the dialogue? In other words, is it possible for the good man to be also a good citizen in this city? To seriously consider this fundamental question—a question which not only plagued the classical age but also plagues our own—one must turn to the *Republic* where Plato presents us with another city, and another founding. More than a decade ago, Leo Strauss counseled this path: "Having arrived at the end of the *Laws*," he wrote, "we must return to the beginning of the *Republic*." □

Book Review/James Grant

The Case for Private Property

Here is a book on property that has nothing to do with the making of money or with the losing of it, but rather with the freedom to do both—indeed, with the freedom to do neither, to pass one's days in the full-blooded scorn of mammon. A collection of 13 essays, *Property in a Humane Economy* is written by 13 academics, a fact apparent on the contents page and on most pages thereafter. "Knowledge which comes through the kaleidoscopic cultural haze, through the multidimensions of language, has a claim to full acceptance," writes one of the dons, in an evident test of his readers' sincerity. One hopes that they persevere, for this is a book of parts.

The authors, who disagree on many things (is or is not self-ownership the basis of all claims to ownership?) hold this much in common: It is the right to own and dispose of one's property that, in the end, holds the hounds of government at bay. "Life, liberty, and property," shouted yesterday's radicals, uttering the words in the same breath. Today's radicals—these essayists—agree. Without the power to confiscate property, to order economic activity from above, the would-be tyrant is at worst an ambitious politician. Awesome enough that the state should make war, print money, dole out justice, and fix the price of natural gas—it is still more awesome that it should monopolize the doing of them. Add to this government sway over economic life, join the monopoly of force with that of bread, and City Hall becomes the seat of commissars. Property—the free man's right to do what he will with his own—is the great wall standing between what is private and what is public.

"For property not only sets me free," writes Leopold Kohr in an article included here, "it also makes me sovereign, and anyone exercising sovereignty over me, such as the state, can only do so through my delegation, not by intrinsic right." Kohr goes on to say that property, in conferring freedom, need not also confer happiness. "It does so only for those who love freedom," he writes, "just as marriage bestows happiness not at random, but only on those who love each other."

Wise words and sorely needed. That property subverts rather than supports the civilized life is an idea deeply rooted in American thought. An ancient best-seller, of course, long ago counseled: "Lay not up for yourselves treasures upon earth, where moth doth corrupt and where thieves break through and steal." Several hundred years later, Henry David Thoreau was warning his fellows against the oppression of barns and houses, "for these are more easily acquired than gotten rid of.... It makes little difference whether you are committed to a farm or the county jail." Now comes Arthur Okun of the Brookings Institution, wondering that "some people argue the case for private ownership [of airlines or oil companies] as though it were the same kind of basic liberty as freedom of speech or universal suffrage."

Property in a Humane Economy

edited by Samuel L. Blumenfeld
Open Court $10.95

That is precisely what *Property in a Humane Economy* does, and with ringing success. The book offers no defense for materialism and therefore has no quarrel with the word according to St. Matthew or Mr. Thoreau (the part played by American money hunger in alienating intellectuals from the higher uses of property is grist for a fourteenth essay). As to the views of Okun and those budding economic planners who parade each Sunday through the pages of the *New York Times*, the book mounts a sustained and telling assault in articles ranging from "A Christian Perspective on Property," by Carl F.H. Henry ("Their refusal to be stewards of God," he writes, "seems in our day to destine people to enslavement to false gods, whether mammon or government") to "Feudalism, Property and Praxeology," by Sylvester Petro. Petro examines the land law in feudal England for the laudable reason of determining "whether it is in fact the proponent of broad property rights who wishes to 'turn back the clock.' " He concludes that it is not.

There is more: "The Decline of Private Property and the Diminished Person," by James W. Wiggins; "Environmental Policy and Property Rights," by Edwin G. Dolan; and, in the best-written of the 13 essays, "The Impact of Invasions of Private Property on Financial Crises," by Louis M. Spadaro. Spadaro argues provocatively that government abridgment of property rights tends to produce bank runs and crises in the international payments balance (the rush out of one currency and into another), a view that makes compelling sense when we include, as does Spadaro himself, currency inflation in the arsenal of state larceny. (Spadaro evidently wrote before the adoption of partially floating world currency rates; the essays here date from 1963 to 1973, and traces of obsolescence appear now and then.)

Quibblers can read "Property in a Humane Economy" with profit. A discussion by Murray N. Rothbard of "Justice and Property Rights" shuns, to this reader's disappointment, the brooding question of the American Indian. Having proposed a scheme to wrest land from the ancestors of thieves and bestow it on the ancestors of victims, Rothbard writes, "In the United States, we have been fortunate enough to have largely escaped continuing aggression in land titles." An argument awaits him in Wounded Knee, South Dakota.

Much to the credit of Open Court, this excellent collection comes complete with an index. □

David Brudnoy

Brudnoy's Film Index

The Best of 1975...

■ **The Adventures of Sherlock Holmes' Smarter Brother:** Gene Wilder, Marty Feldman, Madeline Kahn, and the ghost of Conan Doyle do nifty swifty damage to the legend in a robust and gutsy send-up. Sigerson Holmes (Wilder) may not really be smarter, but he has blood running in his veins unlike the ice water in his sibling's, and with gay abandon he pursues the baddies and rescues the damsel, for what that's worth. Walleyed Feldman, as usual, makes the most of his bizarre gifts, including this time "photographic hearing."

■ **Dog Day Afternoon:** Al Pacino is splendid as the desperate fellow who, in 1972, held up a Brooklyn bank to get money for his boyfriend's sex change operation. The robbery flops, abysmally, but the characterizations are wonderfully delineated. It is offbeat, funny, sad, tender, wry, wholly winning.

■ **Love and Death:** Woody Allen's finest movie; a tale of Boris and Sonja, newlyweds too poor to eat more than snow for dinner and sleet for dessert. Boris the pacifist hates war, loves to philosophize, and joins Sonja's plot to kill Napoleon. The movie milks every conceivable sacred cow for chuckles. Woody's a film anarchist: his tool to destroy convention is withering satire; his nebbish puss and bloated belief in his sexual allure are the perfect putdown of our standard romanticized myths; his latest film puts him in the front rank of those who would liberate us from our pomposities by puncturing them with laughter.

■ **The Magic Flute:** Mozart's most ingratiating opera lovingly filmed by Ingmar Bergman. For once, a successful wedding of the two media, with all the baroque stage artifice showing boldly, most of the Masonic mumbo-jumbo of the libretto deleted, and splendid acting and singing. A magic movie even for those who don't love opera, a magic opera for everyone who ever believed in love and virtue's triumph over evil.

■ **The Man Who Would Be King:** John Huston's best movie in many years, with a perfectly cast Sean Connery and Michael Caine as two wretched little adventurers trying to establish themselves as rulers of remotest Kafiristan. The Kipling story makes for a thrilling spectacular, with acting kept to the human dimension. The clash of native wit and imperial pretension works wonderfully; it's a story for the ages, on the surface level an adventure tale, a bit deeper down a mild pondering of the meaning of colonialism.

■ **Nashville:** Robert Altman's greatly moving examination of one major slice of Americana. A breakthrough in cinematic technique, sure to be considered a milestone in American filmmaking, a film that has aroused enormous controversy owing to the effectiveness of its portrayal of Middle America. Disturbing in its biting savagery, glorious in its acting, unforgettable.

■ **One Flew Over the Cuckoo's Nest:** Ken Kesey's 1962 novel imaginatively filmed, with much of the cloddish symbolism stripped away. Jack Nicholson in (thus far) his most brilliantly conceived role. Set in an insane asylum where society's malcontents are tucked neatly away, the film unfolds an endless series of questions about the nature of our society. Louise Fletcher is excellent as the great tranquilizer and tyrant, Nurse Ratched. This movie explores the eternal combat between freedom and order.

■ **The Story of Adèle H:** The true story of Victor Hugo's daughter, who ran away from home to pursue a reluctant lover to Nova Scotia and the Caribbean, growing deranged as the man spurns her. This is Truffaut's latest to reach our shores, though it was screened in France two years ago, and it introduces Isabelle Adjani, a remarkable young actress, to American audiences. By and large Truffaut shoots it straight, with a clear narrative sweep only occasionally enhanced by moments of flash.

■ **Swept Away By An Unusual Destiny in the Blue Sea of August:** Lina Wertmüller checks in with her latest, a wonderfully parodic romance between a rich bitch and a Communist sailor, who, rather implausibly, fall madly into love following a switch of roles, she from haughty grande dame to sniveling servant, he from outraged servant to outrageous lord and master. An unpromising beginning sweeps eventually to a most ingratiating climax.

...and the worst of 1975...

■ **At Long Last Love:** At long last schmaltz, the dead-weighting of 16 wonderful old Cole Porter songs, as mauled by Burt Reynolds, Cybill Shepherd, and Madeline Kahn, among the major perpetrators. A clunky "comedy" dying by the minute. Even the lovely art deco sets are unable to save it from utter disaster.

■ **Barry Lyndon:** A puzzle, actually, as it is breathtakingly beautiful, wonderfully photographed, and exquisitely edited. But it is a crashing bore made more tiresome by its exhausting length. Everyone is gorgeous: Ryan O'Neal is gorgeous; Marisa Berenson is gorgeous; war is gorgeous; the eighteenth century is gorgeous; death is gorgeous; love is gorgeous; hate is gorgeous—it's that sort of film. There is no point of view, no attitude, no rhyme or reason to supposed plot "developments," really nothing but the most beautiful picture postcard ever stretched to three-plus hours. Stanley Kubrick is to be commended for his sense of what is beautiful, but he seems to have forgotten what the cinema is all about.

■ **The Black Bird:** An atrocious attempt to revive Sam Spade, here in the guise of George Segal as Spade's son, a detective working out of Papa's old office, now in a Negro neighborhood—which of course produces the expectable puns. The Maltese Falcon returns, more or less, as do a crew of baddies as unbelievable as an Arab peace overture. Bogart fans are already, and with good reason, apoplectic.

■ **The Hindenburg:** The most recent disaster flick, starring George C. Scott as a German detective, of sorts, given to uttering such profundities as: "I have an uncomfortable sense of impending doom," with fellow-travelers giving out magnificent lines like "Next time, let's take the *Titanic*." Only Shelley Winters is absent, but Anne Bancroft's on board to lend a touch of class. It doesn't work. The dirigible goes up in flame with great panache. The movie goes up in a puff of smoke.

■ **Hustle:** Burt Reynolds and Catharine Deneuve walk like zombies through a particularly hideous cops-and-baddies number having something vaguely to do with call girls, slick pornographers, and furious fathers. The only redeeming feature is that Reynolds gets it in the end. Late in the game, but at least he winds up where the movie belongs.

■ **Mahogany:** At last, a soap opera for Afro-Americans, encompassing every iota of treacle imaginable. Tracy, played by Diana Ross, who *can* sing but doesn't here, transmogrifies into Mahogany, the fashion model star of the hour, under the inspired tutelage of Anthony Perkins, master of the high fag twitch. Billy Dee Williams is the Negro stud our Mahogany really loves, but Perkins represents glamour, so... Clothes make the woman, and the movie is breaking all box office records in New York and other centers of advanced culture.

■ **The Night Caller:** Jean-Paul Belmondo rescuing Paris from a deranged sickie whose misapplied morality and frustrated sexuality lead him, glass eye and evil sneer and breathless telephone voice and all, to butcher young ladies who've been messing around. Badly dubbed, badly conceived, tiresome beyond description.

■ **The Story of O:** A modern classic novel of soft-core porn, silly in its pretentious artiness, becomes even sillier on screen, and absurdly degrading even of willingly degraded women, incomparably wasteful of the fleshy talents of some of the most exquisite females ever marched across the silver screen. Infant-level psychosexuality, dumb-bunny kinkiness, dialogue of unspeakable affectedness, and lots of rape of the "oh, oh, it hurts, oh please sir, it hurts" variety. O. □

Book Review/Dale Vree

The Old False Consciousness Shuffle

This book by a Brandeis sociologist and his assistant is the product of eight years of research on the resistance to the proposed building of a highway (the "Inner Belt") through the Middle American Brookline-Elm neighborhood of Cambridge, Massachusetts.

The book is intended to be a case study in "classist" oppression, that is, "discrimination by members of one social class against members of another" (p. 13). Fellman is a New Leftist who supports the "liberation" of the Third World, as well as such inhabitants of America as blacks, Chicanos, Puerto Ricans, women, students, and homosexuals. But he deviates a bit from other New Leftists in his belief that Middle Americans—that is, lower-middle-class working people—need "liberation" too. It is his conviction that Middle Americans are oppressed by the "rich-and-powerful class" (capitalists *et al.*) by means of its henchmen in the "organization-class" ("bureaucrats, managers, academics, doctors, lawyers, ministers, and other professionals and intellectuals..." [p. 16]).

According to Fellman, the reason why the highway was so threatening to the Brookline-Elm residents was that its construction would have required the destruction of their neighborhood, forcing the residents to move elsewhere. Unlike the organization-class professionals (who were responsible for planning the highway), Middle Americans are "home-centered" people who have a good Burkean love of their "little platoons" and who do not take well to the idea of being forced to leave home and neighborhood. (Lower-middle-class hostility to busing is heavily based on precisely this attachment to home and neighborhood.) Cosmopolitan organization-class professionals, not being "home-centered," are unable to empathize with Middle America; hence, they are "frequently surprised and angered at the extreme emotion and the occasional violent reactions of neighborhood people to the plans for demolishing their neighborhoods. A common first impulse... is to view highly charged opposition to a government plan as old-fashioned sentimentality or the selfish response of a handful of uninformed people" (p. 34). Fellman suggests that this was particularly so in the Brookline-Elm case, since the planning professionals probably saw no value in maintaining a neighborhood which—given their refined lifestyles and "superior" tastes—likely struck them as being a virtual slum.

Fellman is most eloquent and persuasive in his defense of the Brookline-Elm residents. In view of the current busing controversy separating the cosmopolitans and the "parochials," I am especially attracted to his conclusion that "the nature and worth of neighborhoods should be determined not by supposedly 'objective' other-class outsiders, but primarily through the eyes and values of the people who live there" (p. 35). Fellman will have no truck with those contending that the Brookline-Elm innocents were cognitive and cultural cripples suffering from "false consciousness."

It is, therefore, with utter amazement that I read Fellman's analysis of Middle America's place in American politics as a whole. Fellman is not content to limit himself to an analysis of a single case study. No, he generalizes about all of Middle America—which would be all right were it not for the fact that Fellman's generalizations show that he, himself, has not learned the lesson of Brookline-Elm.

The Deceived Majority: Politics and Protest in Middle America

by Gordon Fellman in association with Barbara Brandt
Transaction $9.95

We are all aware that Middle America has been seething with resentments and hostilities. But the trouble, asserts Fellman, is that Middle Americans have been venting their frustrations against the *wrong* groups of people. Whereas they should be attacking the "rich-and-powerful class" and its "organization-class" allies, instead they have been picking on their exploited comrades, the blacks *et al.*, as well as innocuous "eggheads" and dissenters. Why? Well, it's all very simple (if you don't think explanations require evidence and if you can believe in conspiracy theories). What happened is that the Nixons, Agnews, and Wallaces have "deluded" Middle Americans by "deflecting" their wrath away from the "real issues" onto "scapegoats." Only the McGoverns, we are told, are addressing themselves to the "real issues" (pp 23-29). Those obtuse primitives in Middle America who have not pierced the veil of mere appearances and phony issues are sorely afflicted with that endemic disease of the brain, *false consciousness*.

What I find so strange is that while our oracular sociologist will exonerate Middle Americans of the charge of false consciousness on the *local* issue of building a highway, he will *not* exonerate them on the really *big* issues such as foreign policy, race relations, law and order, tolerance of dissent and deviance, the integrity of the family, and the like. On those issues, Fellman joins with the organization-class (of which he concedes he is a member) in the perpetuation of "classism" upon Middle America. Fellman implores us to respect the "feelings" (p 199) of Middle Americans regarding the integrity of their neighborhoods, but all of their *other* feelings (against moral deviants and political militants of all and sundry kinds who, it just so happens, find their safest haven within the precincts of the organization-class) we are not to respect, because here, you see, the supine slobs of Brookline-Elm, U.S.A. have been duped by the machinations of scapegoaters in the ruling class.

Amazingly, the Brookline-Elm residents did win their fight against the highway. But Fellman observes that they would *not* have won if it had not been for the fact that their opposition was coordinated and led by powerful defectors from the organization-class, such as John Kenneth Galbraith, 527 other professors from Harvard and M.I.T., and many others. As Fellman very astutely points out, these organization-class influentials fought the issue on their own terms and largely for their own selfish reasons. Says Fellman: "only when urban traffic congestion and pollution affect the organization-class do its members move into action. To put it another way, Middle America's interests are supported by organization-class people when they coincide with their own, but not very often or systematically otherwise" (p. 231).

Where are these organization-class allies, one wonders, now that the Middle Americans in Southie—and all the South Bostons of this land—need them so badly? Has Galbraith come to their rescue? Has Fellman?

Sadly, Fellman is, himself, his own best case study in organization-class duplicity. He will empathize with Middle Americans when their feelings and interests coincide with his own—which is, to use his own words, "not very often or systematically."

Managing Editor Wanted

The Alternative **is looking for a managing editor to begin work in Bloomington, Indiana this June. Boneheads, lazyboots, and dogmatists need not apply; we welcome applications only from industrious souls with a good liberal education, a sense of humor, and a mastery of English prose. Please send resumés with references and brief samples of your writing to Adam Meyerson, *The Alternative*, P.O. Box 877, Bloomington, Indiana 47401.**

"Whom the gods would destroy, they first make mad." —Euripides

Current Wisdom

HAUTE CULTURE: Miss Vivian Gornick, the Alfred Kazin of her milieu, speaks forebodingly of Mr. Woody Allen's intellectual decline—and even more forebodingly of her intellectual burgeoning. When will this prodigious mind be unveiled to a nation desperate for Culture?:

And then one day I found myself sitting through a Woody Allen movie and not laughing at all. The movie was "Play It Again, Sam" and halfway through it I realized that I was not only not laughing, I was angry and somewhat repelled. I felt as though I'd been watching Woody Allen try to get laid for 20 years now, and I did not want to see it *one more time*. Suddenly, the joke was old-fashioned and disgusting to me. The obsessive lechery startled and antagonized me.

—*Village Voice*
January 5, 1976

IDEAS: *The Progressive* offers a peek into a dank place, the mind of Professor George Wald:

I believe our so-called free world is now wholly controlled by such multinational, super-enterprises as General Motors, Exxon, the Chase Manhattan Bank, ITT, Dutch Shell, and British Petroleum.

—*The Progressive*
December 1975

MAKING IT: High-minded vaporings of John Hersey, author, Presidential confidant, and go-getter in the literary marketplace:

Since last April, when my article on President Ford appeared, his open enjoyment of the office, so manifest during the week I spent with him, seems to have flowered into an obsessive determination to hold onto it at any cost. Mr. Ford's conviction that the threat to his tenure comes from the right, from Ronald Reagan, has wiped out any hope there may have been last spring that his face-to-face decency, his wish to be thought of as another Harry Truman and his early undertakings to work with Congress in a spirit of compromise might move him toward the center of gravity of the people's temper. His hard and stubborn side, which I found so disturbing, has come forward to dominate his behavior and his policies. The irony is that Mr. Ford himself will have to pay—certainly in history and probably at the polls—part of the "any cost," for his drift is toward failure in the main task he set himself, of restoring confidence in the Presidency.

—*New York Times Magazine*
December 28, 1975

BICENTENNIAL BLUES: A familiar idiotic lament festooned with Bicentennial *angst* for the urbane yokelry who read *The Nation*:

Democracy has come to mean pledging allegiance to the flag, rather than questioning and evaluating what the flag stands for and how these values and goals can be improved.... Indeed, it seems that the Bicentennial has become synonymous with maintaining the political *status quo*, by celebrating a past which cannot possibly be altered, rather than facing a present and future which are open to evaluation and change.

—*The Nation*
January 10, 1976

MENTAL HEALTH: A memorable moment provided by the founder of the Rational Therapy Institute of New York, Dr. Albert Ellis, professional fool:

Santa is bad. Any myth has potential harm. Myths perpetuate untruths and encourage unrealistic views of the world. Persons who believe in them wind up deluded and often with serious problems. People's irrationality misleads them to believe in gods and devils which, of course, have never been proven. If a child asks, "Is Santa real?" say: "No, there's no evidence for this myth." I would also alert children that they might suffer some ridicule as a result of their realistic views. But I would tell them that they should respect the views of others. Everyone has the right to believe anything he or she wants to about Santa Claus. But a parent should have faith that his children can face the truth squarely and still enjoy themselves.

—*Indianapolis Star Magazine*
December 21, 1975

DEPT. OF IDEAS: Another comic moment at the *New York Times*, a newspaper that does not need a "funnies" section:

Mr. Shriver is a man whose honesty and integrity few would challenge. And he is an intellectual who spends a lot of time poring over cosmic questions.

—*New York Times*
December 31, 1975

THE LIFE OF THE MIND: Intellectual reflections of a popular performer on the campus Chautauqua circuit, as reported by one of the most awesome news-gathering organs in America:

"If it weren't for the church and society's mores, the vast majority of human beings would be bisexual. At the extremes would be the straights and the gays," said Leonard Matlovich Sunday afternoon before about 700 persons from 19 states attending a Gay Awareness Conference at Indiana University.

"So many are oppressed that until it's all stopped, no one is safe," said the self-identified gay (homosexual) who recently was forced out of the U.S. Air Force with an honorable discharge because of his sexual preference, and not because there was anything wrong with his military record.

According to his story at Sunday's conference, he has worked through many things in his own formerly hate-filled life.

"I was a white racist. I hated blacks. I went to extremes to convince those around me I was straight. I hated gays. I didn't know what it was to love or be loved... to desire and be desired," he said.

He said he "came out of the closet" about two years ago. "To meet a bank president, a school teacher and a garbage collector, who are gay... that's when I walk down the street a little prouder," Matlovich said.

"We as gays have to stop history... we, the oppressed, can go forward and teach love... What a crazy world, in which we're rewarded for hating and punished for loving," he said, calling for gays to unite and stop putting down each other.

—*Bloomington* [Indiana]
Herald-Telephone
November 3, 1975

SOPHISTRIES: Another trick answer from people who devote their lives to trick questions—the booby-trapped word here is "technology":

We live in a highly lethal society. No society in human history has cultivated the technology of killing and destruction as has Western society under Christianity.

—*The Progressive*
December 1975

WHAT IS TO BE DONE: A timely revolutionary bull from the visionary pages of the *Village Voice*:

If you see a lesbian wearing a dress, point at her, make a face until she switches to the politically proper blue jeans.

—*Village Voice*
December 15, 1975

THE MATURE BRAT: Midst an otherwise boring review of Henry Fairlie's latest book, the precious Dr. Garry Wills suffers a sudden and amusing tantrum wherein he coins another taxonomic preposterosity:

The type is established by Irving Kristol, who can say with a straight face that American colleges "give students academic credit for off-campus rioting." Kristol believes that smoking marijuana is an act "whose purpose is to secede from our society and our civilization, and such a declaration requires a moral answer, not a medical one." Kristol and crew have managed the neat trick of creating a Kooky Middle; and Fairlie seems, at first, to be applying for membership.

—*New York Times Book Review*
January 18, 1976

correspondence

To the Editor:

David Brudnoy's review of **The Hiding Place** (February 1976) shows a misunderstanding of the relationship of Judaism to Jesus Christ.

"...the movie is insidiously anti-semitic... Salvation, the movie makes abundantly clear, is possible only through faith in Christ..." Jesus Christ entered the human space-time frame in direct fulfillment of the writings of Moses, Isaiah, Zachariah, and other Jewish prophets. They predicted His birth, lifestyle, death, resurrection, and the salvation He would bring to all peoples. The Jewish scriptures abound with references to the Messiah —Jesus Christ. Christ Himself was a Jew, raised in the Jewish customs and traditions by His Jewish mother, Mary, and His Jewish stepfather, Joseph.

Corrie ten Boom has said, "We are told, 'Pray for the peace of Jerusalem; they shall be blessed who love her.' Don't forget that on the divine side my Savior was the Son of God, but on the human side He was a Jew. And I have a Book that was written by Jews."

Janet K. Tower
Indianapolis, Indiana

David Brudnoy responds:

Janet Tower and I cannot argue Scripture; she believes the Scriptural prophecies and the Gospels, I don't. **The Hiding Place** depicted Jews, in its first segments, as terrified and/or haughty. They **were** terrified in the face of Nazi tyranny, and some no doubt were haughty. Then the film devotes the remainder of its seemingly endless duration to scenes showing the ten Boom sisters in a German camp. There they encounter a Jewess, who is crude and vulgar, but with the proverbial heart of gold. Faith dribbles away from many of the characters, but never entirely for Corrie ten Boom, who through her messages (conversion material, in effect) brings Christianity to the Jewish woman, who is thereby saved. The movie is insidiously anti-Semitic because it makes quite plain its creators' message that only through Christianity can the one Jew who figures in the bulk of the movie find the road to salvation—not through her own efforts, or her ancestral faith, or through any other means. No amount of the standard references to Jesus' ancestry and Old Testament prophecy (which Jews deny refers to Jesus) can obliterate the feeling that virtually every Jew gets when confronted with the conversionist message, which is all **The Hiding Place** amounts to.

To the Editor:

It is against all my principals [sic] to waste time, fighting with you over your revolting sheet, **The Alternative**. The only thing I can do honestly is to wish you "go broke." It is smart-alec, in such extremes as to make you positively, in my estimation, so "right," if you are "right" (politically) but so far "right" that you are just a bunch of wise-guy communists. This is not American humour! Its borrowed from **Punch** and possibly some Russian humour to boot.

I lived in Indiana, once, and I felt the gross stupidity of Indiana people, unfortunately, because I don't like to think in mass terms of American stupidity. I used to keep Noel Coward in my mind, and also James Dean the movie actor. But this paper of yours smells of really a **rotten** kind of stupidity. Please do not send us **ANY more** copies of this terrible magazine! We are ashamed to get it in the mail! Really furious!

Anne Kirk Cooke
Cooperstown, New York

To the Editor:

You have assembled more words and said less than anybody it has been my misfortune to run across. Never have I seen such a collection of egghead writings as you have assembled in your so-called periodical. Please send no more. You pollute the mail. If yours is the alternative give me Joe Stalin.

W.K. Hoggatt
Elite Barber Shop
Perry, Oklahoma

The Editor replies:

I am sorry I have let you down but I am glad I have never asked you for a shave.—RET

To the Editor:

At one time in my life I considered myself basically a conservative, till I found too many things being said, advocated, condoned, and even occasionally done in the name of conservatism that I could not in all good conscience agree with. So I started calling myself a libertarian. Now it seems your Aram Bakshian, Jr. ("The Philosopher's Disease" in your January 1976 issue) is inadvertently trying to get me to switch labels again. If libertarianism were indeed as he paints it I would have to find a new term for my political ideology once more.

Some examples of what I mean. Bakshian: "...when you boil down all the Libertarian fustian about abolishing moral, ethical, and traditional restraints—all of the socio-religious dogma of the past—what it comes to is the most dogmatic (and self-contradictory) absolute of all: 'Thou shalt have no Commandments.' " This, however, sounds more like nihilism to me than libertarianism. It is interesting that he mentions "moral, ethical, and traditional" restraints but doesn't mention government ones, yet if libertarianism stands for anything at all it is the abolition of all unnecessary **government** restraints, leaving individuals free to choose which moral, ethical, and/or traditional restraints seem most proper to them to embrace.

Bakshian again: "The excesses of Free Thinkers in power—during the Terror in France and the twentieth-century revolution in Mexico, to cite only two examples—were remarkably similar to those of the Inquisition, even, in some cases, down to the torture and burning of victims." All too true, of course, but the monsters who perpetrated such atrocities were hardly libertarians. If they considered themselves and were considered by others to be anything but nationalist revolutionaries it was anticlerical liberals, which is one reason I never considered myself a liberal (back in the days when the only choices I knew were liberal, conservative, radical, and reactionary).

Part of the problem is undoubtedly that certain people who have taken to calling themselves libertarians are instead really cynics, nihilists, or anarchists. Perhaps, then, I should close by giving my definition of the term, if only so that those who differ with me know what they are disagreeing with. A libertarian is a person, regardless of his or her religious or philosophical convictions, who believes that adult human beings should be free to live their lives as their consciences dictate as long as in doing so they do not interfere with the rights of others to do likewise, and who further believes that the purpose of government is to protect people's rights to so live rather than to force others to live as they do against their wills.

T.H. Graf
Washington, D.C.

Aram Bakshian, Jr. replies:

To the extent that Mr. Graf speaks for the current libertarian movement, I find his statement sympathetic. I, too, want to keep government prying, pressing, snooping, and compulsion to a minimum, though I suspect we would disagree on what the achievable minimum is. Experience also teaches us that, however sound one's basic **philosophy** is, the philosophy by itself is not long capable of holding a complex and volatile society such as ours together. Hence government and other societal forces almost as powerful though not as official (churches, civic organizations, mass media, business and labor interests, and even the gossip and personal feelings of neighbors or fellow workers) must always play a large part in governing our lives.

Certainly we should all be free to live our lives as we choose so long as we do not violate others' rights. But, depending on who is defining those rights, and depending on how interdependent the individuals of a given society are, the range of genuine freedom allowed even by this purely libertarian formula can be very narrow indeed. I fear that our crowded, almost over-evolved and specialized economy and society—which, barring nuclear war, can only grow more congested and complex in the next few generations—will continue to narrow rather than expand the areas of our individual lives in which we can act freely without affecting the rights or welfare of others.

A relief mother bringing an illegitimate baby into the world is infringing on my rights by draining tax revenues I pay and probably by adding to the parasitic or criminal segment of the population; I am infringing on her rights if I force her to use birth control or submit to

abortion. And, more importantly, legislation or Constitutional amendments can, at any time, make anything a "right" for anybody, or strike a current one from the lists. So the libertarian magic formula is written in quicksand, albeit in ringing terms. And the new wave of extremists (Mr. Graf himself refers to them as "cynics, nihilists, or anarchists") who have captured the libertarian flag are twisting even the spirit of the movement into something vicious in application and absurd in theory.

EDITORIAL
(continued from page 4)

running and filling the nation with merriment.

He is hardly new to national politics. In 1972 he actually ran for the Vice Presidency, and made an incomparable laughingstock of himself by commandeering the podium at the Democratic Convention and earnestly seconding himself in the most ridiculous speech ever heard on prime-time national television. He takes pride in being the first Senator ever to have placed himself under the mysterious needles of the acupuncturist. He is possibly the Senate's staunchest supporter of transcendental meditation and he authored Senate Resolution 64 "to increase public awareness of transcendental meditation" and to make the second week of November "World Plan Week—U.S.A." He is 45 years old, a member of the Unitarian-Universalist Church, a failed trailer camp magnate, and when he married he took Miss Fur Rendezvous of 1958 for his lawful wedded wife.

He is a liberal, an advocate of peace, and—except for his marriage to Miss Fur Rendezvous of 1958—he is in good odor on the environment issue. He is also a man of compassion and vision whose imaginative conscience made him an instant celebrity when on the evening of June 29, 1971 he sat in the Capitol and blubbered through a public reading of the purloined Pentagon Papers. Tears streaked his handsome face, he paused occasionally to interject public declarations of *Angst* to a tiny audience composed of agape newsmen and one mesmerized Congressman all sitting in the chamber of the—brace yourself—Senate Subcommittee on Capitol Buildings and Grounds. When, at 1:00 a.m., he admitted to being "physically incapable of continuing any longer," his uneasy aides rushed him from the scene as though he were a dead fish left too long in the sun.

Agreed, his aides are a humorless bunch, but he is a wonderful clown. I speak of Maurice Robert (Mike) Gravel (pronounced, gruh-Vel). He is the clown who should be President, and if we can ever discover who that Congressman is who sat through his moronic readings, I believe we shall have our nominee for the Vice Presidency.

Think this over, and when you hear Senator Gravel disclaiming any interest whatsoever in 1976, sit back and enjoy. ☐

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The entire Ninety-fourth Congress, its Legislative Aides, its Administrative Assistants, and its tailors.

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